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PROPOSED CONSENT USES & PERMANENT DEPARTURES FOR 5 SPICES PROPRIETARY LIMITED

**REMAINDER OF FARM 298, KAAIMANS, VICTORIA BAY ROAD
GEORGE MUNICIPALITY & DIVISION**



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Aerial images:

<https://gis.elsenburg.com/apps/cfm/#>

<https://gis.george.gov.za/portal/apps/webappviewer/index.html?id=0283eccf869641e0a4362cb099290fca>

<https://www.google.com/earth/>

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**PROPOSED CONSENT USE:
REMAINDER FARM 298, KAAIMANS, VICTORIA BAY ROAD
GEORGE MUNICIPALITY & DIVISION**

1. PROPERTY BACKGROUND & INFORMATION

Remainder of Farm 298 George (RE/298) is a popular resort / tourist accommodation situated in the Kaaimans area just off the N2-route, enroute to Victoria Bay, known as Victoria Bay Lodge. The farm developed as a resort in the late 1970's. The new property owner wishes to commence a process of general maintenance and upgrading of this resort. *Marlize de Bruyn Planning* was appointed to address the land use requirements so that building plans can be submitted for the proposed additions and alterations on the farm. The power of attorney attached as **Annexure 1** to this report.

1.1 PROPERTY SPECIFICS

The table below includes relevant information regarding RE/298 George.

| | |
|------------------------------|-----------------------------------|
| Property Description: | Remainder of Farm 298 George |
| Physical Address: | Victoria Bay Road, Kaaimans |
| Owner: | 5 Spices Pty Ltd |
| Title Deed No: | T19889/2021 (Annexure 2) |
| Bond: | No |
| Size of the farm: | 3.0207ha |
| SG Diagram | 6296/1985 (Annexure 3) |
| Zoning | Resort Zone |

The attached conveyancer's certificate (**Annexure 4**) confirms that the title deed includes no restrictions regarding the land use application proposed for RE/298 George.

The title deed for the subject property refers in Par. D to a water pipeline servitude along the western boundary of the property. It is also indicated on the SG diagram attached. This land use application does not impact on this servitude. This servitude is also shown on the site survey attached hereto as **Annexure 5**.

1.2 APPLICATION

This land use application in terms of Section 15(2) of the George Municipality: Land Use Planning By-law (2023) for RE/298 George entails the following:

- **Consent use** in terms of Section 15(2)(o) of the George Municipality: Land Use Planning By-law (2023) for a hotel (12 rooms/suites).
- **Permanent departure** in terms of Section 15(2)(b) of the George Municipality: Land Use Planning By-law (2023) for an increase in height for the hotel from 8.5m to 9.1m (existing structure) (development parameter (f)(iv)).

2. CONTEXTUAL INFORMANTS

2.1 LOCALITY

RE/298 George is a developed tourist accommodation located along the Victoria Bay Road (Main Road 350). The property also borders onto the N2-route along the northern boundary. The well-known Carmel Coastal Retreat is located to the south. The area is characterised by small holdings, holiday accommodation and the also Victoria Bay. A locality map is attached hereto as **Annexure 6**.

2.2 ZONING

RE/298 George is zoned Resort Zone and developed accordingly with tourist accommodations units, related buildings, communal facilities and staff accommodation. The direct area is characterised by primarily farms (AZI), with some smallholdings (AZII), resorts (RZ), a hotel (GRZVI), and open spaces (OSZ). The western abutting property is undeveloped. The northern and southern abutting properties are developed with resorts thereon and the eastern abutting property is developed with a dwelling house thereon.

The zoning of the farm will not change following this land use application and the land uses of the farm will remain in line with a resort (tourist accommodation) as associated with the primary right of a Resort Zone property. the proposed consent uses will support the resort character of the area.



2.3 CHARACTER OF THE PROPERTY

The farm gently inclines from north to mid-section before levelling out towards the southern section. There are no natural watercourses on the property and the property is predominantly covered in grass, with some landscaping and pockets of trees in the northern area. Access is attained via Victoria Bay Road (Main Road 350). A service access is found on the boundary with the N2-route – this is not used for general access. The property is developed with staff accommodation, 19 timber guest cottages (chalets), various carports and communal structures (e.g playroom). In the southeastern corner of the property is the primary dwelling of the previous owner. This existing structure is the subject of the land use application. It is proposed to convert this structure to a small hotel with 12 rooms. It is discussed in more detail later in this report.

The images to follow show the character of the area and the developed section of the property.





2.4 PRE-APPLICATION CONSULTATION

The pre-application is attached hereto as **Annexure 7**.

Town planning

- *Density of the proposal should be addressed and should align with the rural development guidelines;*

Noted. The number of chalets is not to be increased. The number of hotel rooms/suites will be 12 with a more detailed description later in this report.

- *Visual impact assessment is required as well as visual renderings from the N2 and Victoria Bay road.*

See **Annexure 7** for the VIA.

- *Address MSDF;*

See the relevant section of this report.

- *Indicate if development will take place in phases;*

No phasing.

- *Detailed site layout plan will be required;*

See **Annexure 8 & 9**

- *Possible deviation from the rural guidelines which is incorporated with the MSDF and deviation should be motivated and decision will be with the Tribunal;*

See the relevant section of this report.

- *Possible EIA and should be referred to DEA&DP environmental affairs to determine if a listed activity is triggered.*

Preliminary discussion showed that NEMA should not be triggered. This land use application will be referred to the Department of Environmental Affairs & Development Planning for comment during the public participation process.

- *Grown trees on site should be mapped and all indigenous trees should remain in place.*

The property is characterised by especially pine trees. Limited indigenous trees are found on the southern side of the property which will not be impacted on as an existing structure is the subject of this land use application.

CES:

- *DRE to comment on access. SANRAL will be required to provided comments in terms of their planed N2 upgrades. Other normal development conditions will apply.*

This land use application will be referred to SANRAL and the Department of Infrastructure: Road Network Management for comment during the public participation process.

ETS:

- *To be discussed with ETS*

The development intensity was reduced from the initial proposal as discussed in this report.

3. DEVELOPMENT PROPOSAL

RE/298 George is a well-established tourist accommodation near the famous Victoria Bay. The new property owner wishes to systematically upgrade the existing resort which lacked maintenance in the past about 20 years. The most significant proposal is to convert the former dwelling house of the previous owner to a small hotel. The latter is a possible consent use for properties zoned Resort Zone.

The number of chalets will not increase, and the staff accommodation also remains as is.

The site plan for the property is attached as **Annexure 8**.

As described earlier in this report, the dwelling house located in the southeastern corner of the property is proposed to be converted into a small hotel. The site survey attached to this report shows that the southern side of the structure has a rising topography. Therefore, from the Victoria Bay Road a double storey structure is visible between the vegetation. On the northern side of this structure, not visible to the general public, the structure has 3 levels. It has a flat roof.

The floor plans of the proposed hotel (**Annexure 9**) show a lower ground floor, ground floor and first floor. The ground floor accommodates the entrance foyer where guest will be received with a lounge area and a storeroom. Communal ablution is also provided here. This lower ground floor is proposed to provide 4 guest rooms accommodating two people each. Then the ground floor will again have a lounge area with 6 guest rooms, also accommodation two people each. Then the first floor will be providing only two guest suites, but it will consist of two bedrooms each as well as a private lounge area. this is to accommodate the needs of families travelling together. In total, this small hotel will therefore be able to accommodate 28 guests.

For convenience, each guest room and guest suite will include a kitchenette, to comply with the provisions of the zoning by-law.

The elevations included in **Annexure 9** shows that timber elements will be added to the exterior of this existing structure to complement the existing timber chalets.

The site survey (**Annexure 5**) provided the contours so that the height of this proposed hotel can be indicated correctly. The height of the proposed hotel is shown as 9.1m measured from NGL. As this is an existing structure, a permanent departure is included for an increase in height to accommodate the change in use.

On the page to follow is 3D-images as also included in **Annexure 9**. The first is as seen from the north and the second as seen from the south.



Visual Impact Assessment (VIA)

A VIA was compiled by Mr. Paul Buchholz. See **Annexure 10** to this report. This report provides the detail as expected for a VIA. The assessment therefore uses the standard criteria, assessing the landscape character, potentially sensitive areas and the settlement pattern.

Mr. Buchholz states: *Theoretically, the development site could be seen from all surrounding areas. However, distance, topography, developments, houses and vegetation will reduce the actual view catchment that the proposed development site will have, to a much smaller area (zone of visual influence).*

Based on the information gathered from the various observer locations the zone of visual influence was determined for the development (Figure 9). It spans an area of approximately 1.10 km south, 1.2km west, 1.7km north and 2.10 km to the east. According to the specific criteria for visual impact assessments, the visibility of the site is local, being visible from an area less than 5km away.

The proposed development will have a moderate visual exposure to the south, but topography and vegetation will limit the exposure. Due to the high vegetation surrounding the building footprint on the western, northern and eastern boundary, a low visual exposure will be experienced.

Therefore, it is concluded that the design of the hotel with the screening effect of surrounding vegetation as well as the location below a ridgeline will result in a low visual impact.

3.1 ENVIRONMENTAL CONSIDERATIONS

RE/298 George is a tourist accommodation facility that occupies the entire southern section of the property. Notably, there are no natural water courses on the premises. However, there is an artificial dam located in the southwestern corner, serving as an aesthetic feature. A comparison of aerial images from 2000 to 2023 reveals the successful growth of landscaping efforts undertaken by previous owners between the cottages, which has become an integral part of the resort's character. The property stands out in its immediate vicinity for its significant preserved vegetation, which is unmatched by neighbouring properties. The northern section of the property remains largely undeveloped, covered with vegetation (pine trees) as a screen from the N2-route.

The proposal aims to optimise the use of the northern section of the property, to better align with its zoning as a resort zone.

The alterations proposed to the main building that require the consent uses will have no environmental impact as they will be internal and aesthetic only and will not require any new development.



3.2 MUNICIPAL ENGINEERING SERVICES, ACCESS, TRAFFIC, ETC

The current municipal engineering services provided to this property will be maintained and expanded if needed. Access to the property from the Victoria Bay Road (Main Road 350) along the southern boundary, will remain unchanged, and is about 7 meters in width, which is sufficient for a combined entrance and exit way.

Adequate parking facilities will be ensured for all intended land uses on the property. At the hotel, 20 parking bays are provided for direct convenience. The northern section of the property, which is open, provides space for further parking as needed.

3.3 PUBLIC INTEREST

The surrounding properties will not be adversely affected by the proposed development, as the existing structure to be upgraded and the use thereof changed, is positioned away from neighbouring houses. Surrounding property owners will be notified of the proposed application and they will have the opportunity to give comment.

The area is characterised by different typologies of guest accommodation and the proposed upgrade will just further support this character.

3.4 NEED & DESIRABILITY

Need and desirability is the balancing of various factors.

Need depends on the nature of a development proposal and is based on the principle of sustainability. This report demonstrates that the proposed consent for a hotel on RE/298 George aligns with the character of the property and the area. The upgrading of this old resort should be regarded as beneficial to all in this area. Essentially, it meets the current property owners' need to enhance the sustainability and amenities of the tourist accommodation.

Desirability, from a planning perspective, is defined as the degree of acceptability of a proposed development on a property. The relevant factors include the physical characteristics of the property, existing planning in the area, character of the area, the locality and accessibility of the property as well as the provision of services.

Physical characteristics of the properties

The physical characteristics of the property does not impact on this proposal as an existing structure is to be converted to a small hotel. The height of this existing structure is 9.1m measured from natural ground level (NGL). The existing structure and the existing topography necessitate the permanent departure for the increase in height from 8.5m as discussed elsewhere.

Existing planning in the area

As indicated later in this motivation report, this land use application is not in conflict with the George Municipal Spatial Development Framework (GMSDF).

Character of the area

As discussed, and shown earlier in this report, the proposed consent use and permanent departure will not have a negative impact on the character of the area. The proposed additions will further support the tourist accommodation character of the area and will provide diverse lodging options for transient guests to the area.

Provision of services

Municipal engineering services are already available and used by the property. No significant changes are expected with the access from the Victoria Bay Road to remain unchanged. Ample parking is available within the boundaries of the property.

Economic impact

This proposed consent use for the upgrading of the main building cannot have a negative economic impact. The addition of extra tourist accommodation will support the local economy of the area.

Direct impact on surrounding properties

No neighbour will be overshadowed, overlooked, or disturbed by the change in use of the existing structure.

It is our view that the need and desirability of the proposed Consent uses for RE/298 George, shows no negative impacts.

4. LEGISLATIVE CONSIDERATIONS OF THE APPLICATION

The criteria for the consideration of land use applications as per the Spatial Planning and Land Use Management Act, 2013 (Act 16 of 2013) (SLPUMA), the Western Cape Land Use Planning Act, (Act 3 of 2014) (LUPA) and the George Municipality: By-law on Municipal Land Use Planning (2023) builds on each other. SLPUMA introduced legislative and procedural changes to the management of land use planning in South Africa. The Western Cape Province followed with LUPA and thereafter George Municipality with the Municipal Land Use Planning By-law (2023). What is relevant to this land use application is discussed in the paragraphs to follow.

4.1 STATUTORY INFORMANTS

4.1.1 SPATIAL PLANNING & LAND USE MANAGEMENT ACT, 2013 (SPLUMA)

Section 7 of this Act sets out the five development principles that are applicable to spatial planning, land development and land use management and section 42 of SPLUMA then refers to the factors that must be considered by a municipal tribunal when considering a land use planning application, which include but are not limited to:

- Five SPLUMA development principles;
- Public interest;
- Constitutional transformation;
- Respective rights and obligations of all those affected;
- State and impact of engineering services, social infrastructure and open space requirements;
- Compliance with environmental legislation.

Relevant aspects not addressed in the earlier paragraphs of this motivation report, are addressed below:

4.1.1.1. FIVE DEVELOPMENT PRINCIPLES

The five development principles of SPLUMA, namely spatial justice, spatial sustainability, efficiency, spatial resilience, and good administration are not all directly relevant to this land use application.

Spatial justice as described in Section 7(a) of SPLUMA is not directly relevant to this land use application.

Spatial sustainability as described in Section 7(b) of SPLUMA is relevant as far as an existing structure is to be re-developed:

- The proposed consent use and permanent departures hold no expected negative environmental impact.
- The effective and equitable functioning of land markets is not negatively affected by this land use application.
- No negative impacts are expected on surrounding properties.

Efficiency as described in Section 7(c) of SPLUMA is supported. The repurposing of an existing structure is deemed efficient in terms of planning regulations.

Spatial resilience as described in Section 7(d) of SPLUMA is not fully relevant to this land use application.

Good Administration as described in Section 7(e) of SPLUMA indicates the responsibilities of all involved in any land use matter.

The paragraphs above show that the land use application for RE/298 George supports the relevant development principles of SPLUMA.

4.1.2 WESTERN CAPE LAND USE PLANNING ACT, 2014 (LUPA)

LUPA requires that local municipalities consider the following when deciding on land use applications:

- Applicable spatial development frameworks;
- Applicable structure plans;
- Land use planning principles referred to in Chapter VI (Section 59) which is an expansion of the five development principles of SPLUMA;
- Desirability of the proposed land use; and
- Guidelines that may be issued by the Provincial Minister regarding the desirability of proposed land use.

The land use planning principles expands on the five development principles of SPLUMA and desirability which is discussed in foregoing paragraphs.

Section 19(1) and (2) of LUPA refers to **consistency** and **compliance** of a land use proposal regarding spatial development frameworks or structure plans. Considering the aim of this land use application for RE/298 George , no conflict was found with the George Municipal Spatial Development Framework (GMSDF).

4.1.3 GEORGE MUNICIPALITY: LAND USE PLANNING BY-LAW, 2023

The general criteria for the consideration of applications in terms of this By-law are included in Section 65 which, inter alia, includes:

- Desirability of the proposed utilisation of land;
- Impact of the proposed development on municipal engineering services;

- Integrated development plan, including the municipal spatial development framework, the applicable local spatial development framework and/or local structure plans;
- Relevant municipal policies;
- Western Cape Provincial Spatial Development Framework;
- Section 42 of SPLUMA (public interest, constitutionality);
- Land use planning principles transposed from LUPA; and
- Provisions of the applicable zoning scheme.

The above is addressed elsewhere in this motivation report as relevant.

4.1.4 GEORGE INTEGRATED ZONING SCHEME BY-LAW, 2023 (GIZS)

RE/298 George is zoned Resort Zone (tourist accommodation) in terms of the George Integrated Zoning Scheme By-law (GIZS) (2023). The zoning of the property will not change following the approval of this land use application for the consent use and departures to accommodate the development proposal.

In terms of the zoning scheme, the objective of tourist accommodation is:

The objective of this zone is to promote tourist and holiday facilities in areas with special environmental or recreational attributes, and to encourage public access to these facilities. At the same time, care should be exercised to minimize potential negative impacts of development on fragile environments. The guiding principle should be that a resort must not detract from the amenity that attracted the holiday facilities in the first place, nor should it cause a public nuisance for other people living and working in the vicinity. This zone should only be used in exceptional cases and is normally applicable to tourist developments outside established, built-up areas.

The land use descriptions for hotel will be complied with. What is also important is development parameter (f) pertaining to a hotel within a property zoned Resort Zone, as in this instance:

- (f) Provided that if a hotel or wellness centre is approved within Resort Zone, the following additional conditions apply:
- (i) Rooms may not be alienated by means of sectional title;
 - (ii) The hotel may not accommodate more than 50% of the number of accommodation units;
 - (iii) The architectural design of the hotel or wellness centre must conform to that of the rest of the resort;
 - (iv) The maximum height for the hotel or wellness centre is 8,5 metres in all cases.

Development parameter (f)(i):

The rooms will not be alienated through a sectional title scheme.

Development parameter (f)(ii):

The hotel will be able to accommodate 28 guests while the existing 19 timber chalets can accommodate a minimum of 76 guests. The hotel can therefore accommodate less than 40% of the guest in the chalets.

Development parameter (f)(iii):

As discussed earlier, timber elements are added to the existing structure to become the small hotel to compliment the existing timber chalets.

Development parameter (f)(iv):

As discussed earlier the existing structure to be converted into the hotel, is 9.1m as measured from NGL. Therefore, it is addressed as a permanent departure from this development parameter. It is not efficient to break down a section of the existing structure (0.6m) to comply with this parameter.

4.2 SPATIAL PLANNING INFORMANTS

4.2.1 WESTERN CAPE PROVINCIAL SPATIAL DEVELOPMENT FRAMEWORK, 2014 (PSDF)

The PSDF aims to restructure the urban and rural landscape of the Western Cape to offer socio-economic opportunities for all. The proposed development on RE/298 George will support the tourism sector in a district of George near the delineated tourism precinct, and near public tourist facilities, opportunities, and amenities. The proposed upgrading of the established resort will also contribute to the economy of the area.

Due to the location of the property, it is not expected to negatively affect any coastal landscapes, agricultural lands, or natural environments. Thus, this application is not in conflict with the PSDF.

4.2.2 WESTERN CAPE LAND USE PLANNING GUIDELINES: RURAL AREAS, 2019

The purpose of the Rural Areas Guideline is to provide guidance for the spatial planning and management of land use change in rural areas within the context of the Western Cape. While informed by various rural planning policies and development strategies, its specific focus is on rural spatial planning and addressing pressures for land use change. The guideline aims to outline the types and extents of activities supported in rural contexts, contributing to the facilitation of business activities and expediting development in the province. However, it does not serve as a comprehensive rural development strategy. Instead, it supports the development and implementation of spatial plans and assists in managing land development outside existing built-up areas. A key principle is to promote smart growth by curbing urban sprawl.

Chapter 11 of the Rural Guidelines regards Tourist and Recreational Facilities in the rural area. This chapters endeavours towards diversifying the Western Cape's rural economic base into the tourism and recreation sectors and developing these sectors on a sustainable and equitable basis – the WCG approach to tourism and recreational facilities in rural areas is to facilitate appropriate investment in these sectors across the rural landscape.

The objectives of tourist and recreational facilities in the rural area are:

- To diversify the Western Cape's rural economic base into the tourism and recreation sectors and develop these sectors on a sustainable and equitable basis.
- To offer a range of appropriate nature, cultural and agri-based rural tourism facilities, and recreational opportunities across the rural landscape (e.g. animal sanctuary, paintball, shooting ranges, and conference facilities).
- To provide citizens access to resources, the coast and the rural landscape.

This land use application is to provided guest accommodation in the form of a small hotel within an existing structure added to existing tourist accommodation in the form of timber chalets. The Rural Guidelines also provides guidance for implementation. The relevant guidelines are listed and considered as follows:

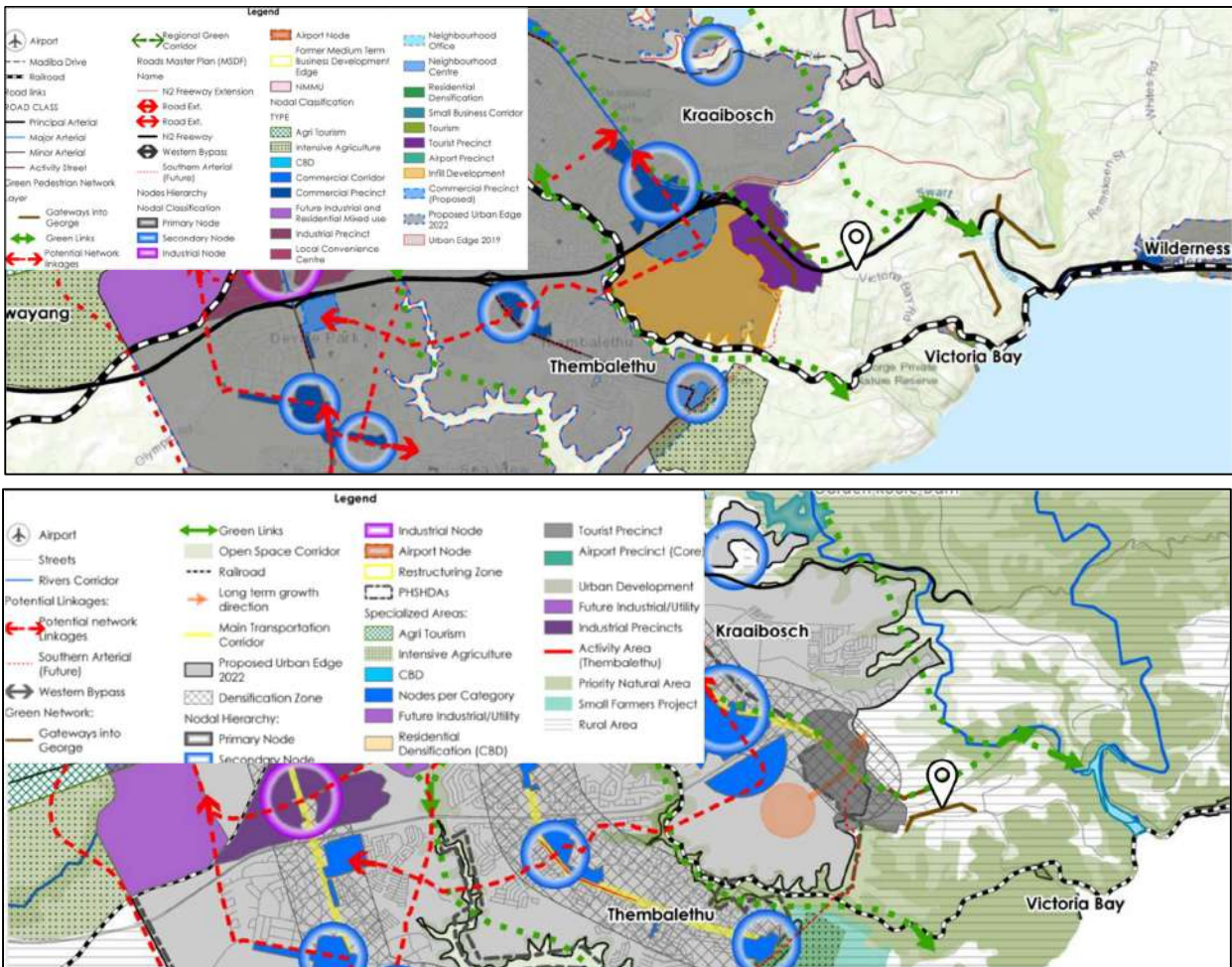
| Guidelines | Consideration |
|--|---|
| Whilst tourist and recreational facilities should be accommodated across the rural landscape (i.e. in all SPCs), the nature and scale of the facility provided needs to be closely aligned with the environmental characteristics of the local context. | Supported. The proposed upgrading of an existing structure is directly aligned and guided by the character of the property and the area. |
| Any facility not directly related to the rural landscape should preferably be located within, or peripheral to, urban centers. The obligation is on the applicant to illustrate why the land use cannot be accommodated in the urban area. | Not relevant. |
| The development should have no adverse effects on society, natural systems, and agricultural resources. The long-term impact on the municipality (resources and financial); water supply and demand; agricultural activities, production and sustainability, risk, and finances; and the scenic, heritage and cultural landscape should be considered when decisions are taken. | Supported. The proposed upgrade will not have a negative effect on society, natural systems, or agricultural resources. |
| Avoid establishing facilities with any permanent on-site employees' residences in rural areas, as on-the-farm accommodation is restricted to agri-workers. Employees should be accommodated in existing settlements. | This property does provide accommodation for staff which includes the manager. |
| Rural tourism and recreation facilities and activities should not compromise farm production and must be placed to reinforce the farmstead precinct. | Supported. There are no farm production on the property that can be affected as it is zoned Resort Zone and not Agriculture Zone I. |
| Development applications should include a locality plan to indicate how it contributes to the clustering of facilities in nodal areas. | Supported. See plans attached. |
| A site development plan must be submitted to the municipality for consideration. The exact proposed footprint must be shown on the site development plan, it should illustrate the placement of the activity in relation to existing buildings on the farm, and provide details on infrastructure provision, access and parking arrangements and the position and nature of all proposed signage and landscaping. | See plans attached. |
| Environmentally sensitive areas (e.g. wetlands and other special habitats) should be avoided, and the placement of facilities and activities should be informed by a landscape assessment (i.e. considering biodiversity, cultural & scenic attributes). | Supported. No wetlands, rivers, natural dams, or other special habitats are affected by this resort. |
| Existing structures or disturbed footprints should preferably be used, and adequate provision made for access and parking. Buildings should respond to the farm's-built vernacular and should include appropriate buffers, landscaping, and screening to reduce their visual impact on the rural landscape. Information on the architectural design must be provided, for the purposes of the heritage and visual assessments. | Supported. An existing structure is to be converted into a small hotel with a VIA supporting the proposal. |
| The appropriate nature and scale of a facility within a particular context should be determined by considering: — the extent of the cadastral portion, and — the sensitivity of, | Supported – existing structure. |

| | |
|---|---|
| and impact on, the receiving environment (i.e. agricultural or natural). | |
| The scale of a development must be limited to the extent that it will not promote secondary development (e.g. service stations, shopping centres, retail activities, social services such as schools, etc.) on or around the site such that a new, unplanned development node is created. | Supported. |
| Only activities that are appropriate in a rural context, generate positive socio-economic returns, and do not compromise the environment or ability of the municipality to deliver on its mandate should be accommodated. | Supported. Resorts are mostly found and associated with rural area, especially in the Victoria Bay area. |
| A large-scale recreational facility that includes a residential component (e.g. golf courses, polo fields, horse racing) should be located in the urban fringe, with the residential component treated as an extension of the urban fabric. | Not relevant. |
| Landscaped areas, which generally require the application of fertilizers, herbicides and pesticides, should be located above the 1:100-year flood line. Where the flood line has not been determined or is out of date, a flood line study is required. | Not relevant. |
| The development should not result in the removal of traditional access used by local communities, particularly where they are dependent on such access for their livelihood or recreation, or for cultural and / or heritage purposes (e.g. coast and rivers, mountains, commonage for grazing and other natural or man-made features). | Not relevant. |
| The development of the site should not negatively affect the role, function, public enjoyment and status of open space systems/networks, designated sites of cultural significance and/or sites identified as being of conservation significance. | Not relevant. |
| The development should not result in or contribute to visually obtrusive or ribbon development along the coastline, visually sensitive areas, cliffs, or ridges. | Not relevant. |
| The services associated with a development should not have a negative impact on the environment. The impact of these services should be considered when determining the appropriate location for a development. Sewerage provision should not result in pollution of surface or groundwater (e.g. no soak-ways should be permitted) | Noted. |

The proposed development aligns with the objectives outlined in the Rural Areas Guideline, specifically Chapter 11 concerning Tourist and Recreational Facilities in rural areas. By supporting the diversification of the Western Cape's rural economic base into tourism and recreation sectors, the development contributes to sustainable and equitable growth. The proposed development not only supports the objectives of the Rural Guidelines but also embodies the principles of smart growth and responsible land use management, ensuring its compatibility with the broader goals of rural spatial planning and development within the Western Cape context.

4.2.3 GEORGE MUNICIPAL SPATIAL DEVELOPMENT FRAMEWORK, 2023 (GMSDF)

RE/298 George is not addressed specifically in the GMSDF. It is located between the urban edges of George and Victoria Bay just east of the delineated tourist precinct and forms part of the eastern gateway to George.



On the hierarchy of settlements, RE/298 George forms part of the Victoria Bay rural settlement as the property is surrounded by AZI & AZII properties. The property itself is not zoned for agricultural land use but the zoning, Resort Zone, is still in line with a rural settlement. As part of the rural settlement, the proposal to improve the tourist accommodation on RE/298 George is directly in line with the function of its settlement type to support the area as a tourism hotspot. The snip below shows the function of a rural settlement as per the MSDF.

| SETTLEMENT TYPE | FUNCTION / ROLE | SETTLEMENT IN THE GREATER GEORGE AREA |
|----------------------------|---|--|
| Rural / Tourism Settlement | A rural or recreational nodal point characterised by community functions as well as a state of permanence (settled population). Such settlements function as agri-service centres, tourism centres, educational centres, individually or providing a combination thereof. | Herolds Bay and surrounding (existing) estates Victoria Bay Touwsrante Hoekwil Kleinkrantz Le Grand |

The MSDF states that:

The management of the access points to blue flag beaches and the associated uses, if any, should be evaluated, with due consideration to environmental impact and safety, but also with tourism/recreational/cultural opportunity in mind. The coastal access points have a variety of functions, and the spatial context should facilitate or deter clustering of uses (depending on the nature of the access). Classification of access points is required. Public road- and pathways to these access points (vehicles and pedestrian) should allow optimal access and freedom of movement.

The beaches along the George coastline are an essential part of the character of the area and is enjoyed by residents and visitors alike. The tourism (and local recreation) value lies in outdoor activities (paragliding, kiteboarding, surfing, sun-bating, swimming, fishing, etc) and the active (employment generating) functions that is linked to this use (tourist accommodation -facilities and -services). Possible integration of tourism into environmental areas, on sensitive scale and with the required mitigation and specified shared management responsibility, must be considered.

The MSDF (Municipal Spatial Development Framework) emphasises the importance of managing access points to blue flag beaches with consideration to environmental impact, safety, and tourism/recreational/cultural opportunities. Considering the characteristics of RE/298 George, it appears to align well with the objectives of the MSDF in this regard. The proposed upgrading of the tourist accommodation (resort) on RE/298 George will further support and improve the contribution of tourism to the local economy in an environmentally sensitive manner.

Tourism Support:

The property is situated along Victoria Bay Road, which leads directly to Victoria Bay Beach, generating significant tourism activity. Upgrades to the existing tourist accommodation (resort) on RE/298 George would likely enhance the tourism function of the area. This aligns with the MSDF's goal of considering tourism/recreational opportunities in managing access points.

Public Access and Freedom of Movement:

Being located along a public road leading to the beach, RE/298 George contributes to providing optimal access and freedom of movement for both vehicular and pedestrian guests, as advocated by the MSDF.

The MSDF stipulates guidelines for the management of growth of the settlements surrounding the George city area. The says the following for the Victoria Bay area:

Victoria Bay is a small seaside resort and well-visited recreational area. Kraaibosch South is predominantly a rural residential area. The area's topography, the Kaaimans River and built character is unique, and has contributed to its increased popularity as a place of **recreation, vacation, and permanent living**. There are approximately 50 dwellings in the Victoria Bay rural area, 12 dwellings in the seaside settlement and fourteen dwellings/ erven along the Kaaimans River. The Municipality will maintain the present environmental, rural and settlement character of the area. To this end it will:

- Restrict development in Victoria Bay to existing building footprints and height.
- **Facilitate tourism development and maintain public access to the beach and fishing areas.**
- Manage applications for subdivision and land use in the surrounding area in a manner that maintains the rural and scenic character of the area and do not place an additional burden on service infrastructure.
- Encourage landowners to adopt environmental management plans and/or stewardship agreements and convert land use rights to Open Space Zone III (See GIZSB) to facilitate the protection of the priority environmental zones and coastal protection zones

The proposal for the subject property has not negative impact on the above.

The themes of the MSDF are:

- Theme A: Infrastructure*
- Theme B: Economic growth*
- Theme C: Growth management*
- Theme D: Integrated housing*
- Theme E: Wealth of natural assets and resilience*
- Theme F: Heritage*

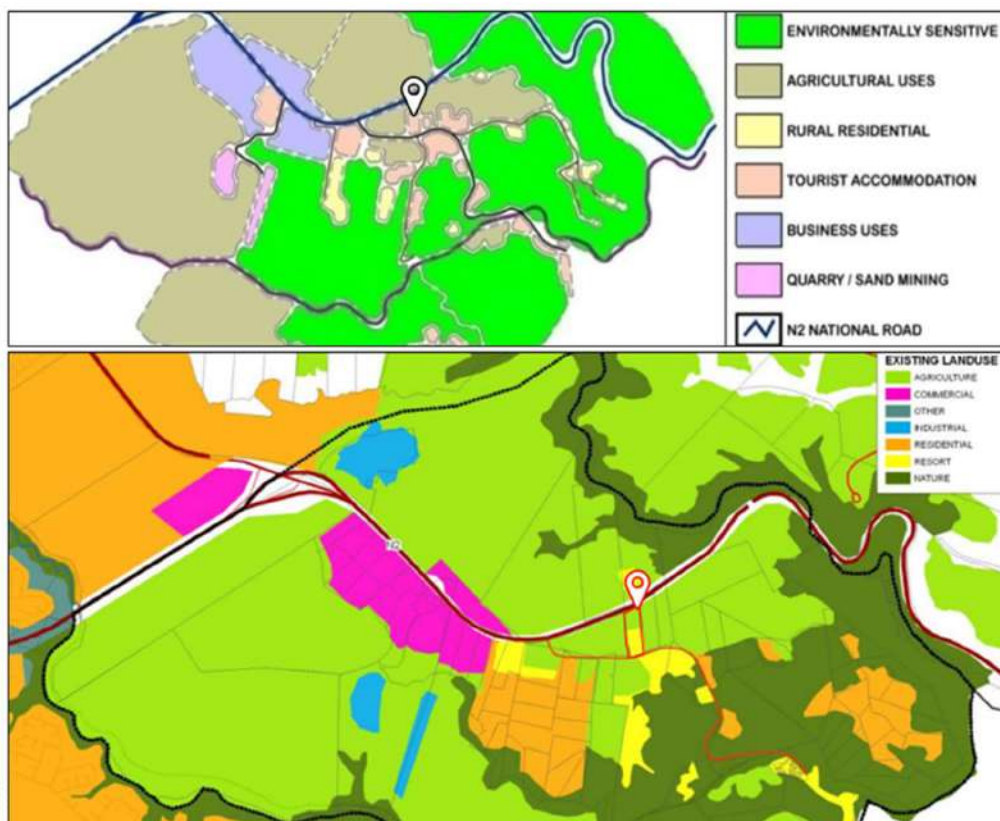
This land use proposal supports themes B & E. The other themes are not relevant for a land unit outside the urban edge that will not provide permanent residential opportunities (except for the manager/owner). The proposal to upgrade an existing tourist accommodation resort will directly support and enhance the local economy of the nearby tourism precinct. The proposal is environmentally sensitive as an existing structure is to be used.

In summary, RE/298 George, with its location, existing function, and proposed upgrade, supports the objectives of the MSDF by promoting tourism, facilitating access, and considering the spatial context of the Victoria Bay area. This land use application and the nature thereof is found to be consistent with the GMSDF as required in terms of Section 19 of the Land Use Planning Act, 2014 (LUPA). The Victoria Bay Local Spatial Development Framework forms an integral part of the George SDF and can be regarded as an extension thereof and is discussed in the following paragraph.

4.2.3.1. VICTORIA BAY / KRAAIBOSCH LOCAL SPATIAL DEVELOPMENT FRAMEWORK, 2016 (LSDF) (DRAFT)

The objectives of the Victoria Bay LSDF are to manage increased development pressure from inappropriate land uses and provide clarity on the role and function of the area as either a residential or holiday destination.

In terms of the LSDF, RE/298 George is delineated as a tourist accommodation and agricultural element in the Victoria Bay area. The entire property is zoned for Resort Zone and the developed section of the property is shown in the LSDF as an existing resort.



This LSDF highlights the positive impact of tourism and its contribution to the local economy by the various role players in the Victoria Bay area. The proposed upgrading of the tourist accommodation (resort) on RE/298 George will further support and improve the contribution tourism contribution to the local economy in an environmentally sensitive manner.

The proposal to expand the existing tourist accommodation on RE/298 George is not in conflict with the objectives of this LSDF.

5. CONCLUDING

From this motivation report, it is our opinion that the proposed land use application for RE/298 George is consistent with all the relevant considerations as prescribed by the planning legislation. It does not create conflict with the overall spatial objectives for the area.

An existing structure will efficiently be repurposed to contain more feasible tourist accommodation in a very strategically located area of Victoria Bay. The proposal as discussed in this application are possible considering the zoning of the property (Resort Zone) and supports the spatial objectives of the area.



MARLIZE DE BRUYN Pr. Pln

April 2024

Certificate issued by the Commissioner of Companies & Intellectual Property Commission on Monday, September 26, 2016 at 19:55



Companies and Intellectual Property Commission

a member of the dti group

COR14.3: Registration Certificate

Registration Number: 2016 / 408394 / 07
Enterprise Name: 5 SPICES

ENTERPRISE INFORMATION

Registration Number: 2016 / 408394 / 07
Enterprise Name: 5 SPICES
Registration Date: 26/09/2016
Business Start Date: 26/09/2016
Enterprise Type: Private Company
Enterprise Status: In Business
Financial Year End: February

Addresses

POSTAL ADDRESS

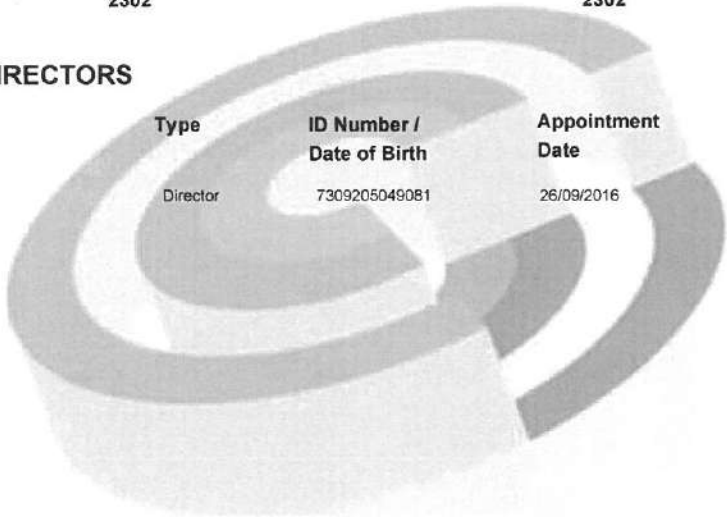
POSBUS 5645
SECUNDA
SECUNDA
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2302

ADDRESS OF REGISTERED OFFICE

SHEBA STRAAT 16
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Resolution & Power of Attorney


5 Spices Pty Ltd, the registered owner of *Remainder Farm 298, George Municipality & Division* hereby resolves to authorise *Marlize de Bruyn and Denise Janse van Rensburg* from *Marlize de Bruyn Planning* to submit the required land use application in terms of Section 15(2) of the *George Municipality: Land Use Planning By-law (2023)* for the property.




8/2/24
Date



Date



Date

Witness 

9/2/24
Date

4

Prepared by me


CONVEYANCER
HENDRIK PETRUS SERFONTEIN
(82200)

| Deeds Office Registration fees as per Act 47 of 1937 | | |
|--|-------------------------|--|
| | Amount | Office Fee |
| Purchase Price | R. 14 250 000,00 | R. 3573,00 |
| Reason for Exemption | Category Exemption..... | Exemption i to. Sec/Reg..... Act/Proc..... |

DATA / VERIFY
20-04-2021
WENDY FANTI

T 000019889 : 2021

DEED OF TRANSFER

BE IT HEREBY MADE KNOWN THAT

JOLINE STEYN

(LPC Membership number: 90999)

appeared before me, the Registrar of Deeds at Cape Town, the said appearer, being duly authorised thereto by a power of attorney granted to him by

The Trustees of GOUWS FAMILIETRUST

Registration Number IT1688/1998

signed at GEORGE on 24 FEBRUARY 2021

b



And the appearer declared that:

Whereas the Transferor had truly and legally sold the undermentioned property on 19 December 2020 by Private Treaty

Now therefore the Appearer on behalf of the Transferor, did by these presents, cede and transfer to and on behalf of

5 SPICES PROPRIETARY LIMITED
Registration Number 2016/408394/07

its successors in title or assigns, in full and free property

REMAINING EXTENT OF THE FARM 298
IN THE MUNICIPALITY AND DIVISION OF GEORGE
PROVINCE OF THE WESTERN CAPE

IN EXTENT 3,0207 (THREE COMMA ZERO TWO ZERO SEVEN) HECTARES

FIRST REGISTERED BY CERTIFICATE OF CONSOLIDATED TITLE T3206/1986
WITH DIAGRAM SG NUMBER 6296/1985 RELATING THERETO AND HELD BY DEED
OF TRANSFER T74829/1998

- !. INSOFAR as the land represented by the figure A B C x H J on said Diagram No. 6296/1985 is concerned –

SUBJECT

- A. To the conditions referred to in Deed of Transfer No. 9574/1910,
B. To the terms of the following Endorsement dated 7th January 1972 on Deed of Transfer No. 23919/1964 :

"Registrasie van Serwituut

Die binnegemelde grond is onderhewig aan 'n serwituut met betrekking tot verdeling van water in terme van 'n Bevel van Waterhof (Waterhof Distrik Kaapstad) gedateer 26 Mei 1971 soos meer volledig sal blyk uit gemelde Bevel, geliasseer as Serwituut 15/72."

- C. To the terms of the following endorsement dated 6th July 1977 on said Deed of Transfer No 23919/1964 :

"Registrasie van Serwituut

Die binnegemelde grond is onderhewig aan 'n serwituut met betrekking tot verdeling van water in terme van 'n Bevel van die Waterhof (Waterhof Distrik Kaapstad) gedateer 3 Junie 1977 soos meer volledig sal blyk uit gemelde bevel waarvan afskrif hieraan geheg is."

- D. To the terms of the following Endorsement dated 23rd August 1984 on said Deed of Transfer No T1638/1983:

"Kragtens Notariële Akte Nr K 755 S, is die binnegemelde eiendom onderhewig aan 'n waterpyplyn serwituut twee (2) meters wyd ten gunste van (1) Gedeelte 7 (Ged van Ged 5) van die plaas Zwart Rivier Nr 194, groot 6,3844 Ha en (2) Ged 8 (Ged van Ged 6) van die plaas Zwart Rivier Nr 194, groot 6,9545 HA, beide gehou kragtens Transport akte Nr T2530/1969, welke serwituut voorgestel word deur die figuur ABCDEFGH op Kaart Nr 6178/1983, geheg aan gesegde Notariële Akte, synde die oostelike grens daarvan. Soos meer volledig sal blyk uit gesegde Notariële Akte."

(the eastern boundary of which water pipeline servitude is represented by the line abcdefgh on said Diagram No 6296/1985 hereunto annexed)

B

J

- ii. INSOFAR as the land represented by the figure H x D E F G on said Diagram No 6296/1985 is concerned –

SUBJECT –

- A. To the conditions referred to in Deed of Transfer No. 1257/1928,
- B. To the following condition contained in Certificate of Amended Title made in favour of E T L Edmeades on 23rd April 1913 (George Quitrents Volume 15 No 11):

"The said land being subject moreover to all such duties and regulations as either are already or shall in future be established respecting lands held on similar tenure."

- C. The servitude referred to in the following Endorsement dated 10th September 1940 on Deed of Transfer No 2983/1930:

"REGISTRATION OF SERVITUDE.

By Notarial Deed No 253/1940 dated 17th July 1940 the withinmentioned Transferee has granted certain water rights to the Municipality of George over the property held hereunder subject to the conditions as will more fully appear on reference to the said Notarial Deed registered this day in the Servitude Register under No 253/1940."

(which condition relate to that portion of PORTION 155 (CARMEL) – of which component 2. i e PORTION 156 forms portion – of the farm KRAAI BOSCH NO. 195 represented by the figure A B w middle of stream x Y Z on Diagram No 984/1985 annexed to Certificate of Consolidated Title No T38591/1985)

- D. To the terms of the following two endorsements dated respectively 7th January 1972 and 7th June 1977 on Certificate of Consolidated Title No. 6568/1959:

1. "REGISTRATION OF SERVITUDE.

The within described land is subject to a servitude with regard to apportionment of water in terms of an Order of the Water Court (Water Court District No 12/70 Cape Servitude 15/1972) dated 26/5/71, as will more fully appear on reference to the copy of the said Order." \$

2. "REGISTRATION OF SERVITUDE.

The within described land is subject to a servitude with regard to apportionment of water in terms of an Order of the Water Court (Water Court District No 10/76 George) dated 3/6/77, as will more fully appear on reference to the copy of the said Order annexed hereto." \$

(which conditions relate to that portion of PORTION 155 (CARMEL) – of which component 2. i.e PORTION 156 forms portion – of the farm KRAAI BOSCH NO. 195 represented by the figure A B C D E F G H J K L M a b w middle of stream x Y Z on Diagram No 984/1985 annexed to Certificate of Consolidated Title No T38591/1985)

E. To the following conditions in said Deed of Transfer No. T3205/1986, imposed by the Administrator of the Province of the Cape of Good Hope in terms of Section 9 of Ordinance 33 of 1934 when approving of the subdivision of Portion 155 (Carmel) of the farm Kraai Bosch No 195:

- (a) The owner of this erf shall, without compensation, be obliged to allow gas mains, electricity, telephone and television cables and/or wires and main and/or other waterpipes and the sewerage and drainage, including stormwater of any other erf or erven to be conveyed across this erf, and surface installations such as mini-substations, meter kiosks and service pillars to be installed thereon, if deemed necessary by the local authority and in such matter and position as may from time to time be reasonable required. This shall include the right of access to the erf at any reasonable time for the purpose of construction, altering removing or inspecting any works connected with the above. |

- (b) The owner of this erf shall be obliged, without compensation, to received such material or permit such excavation on the erf, as may be required to allow use of the full width of the street and provide a safe and proper slope to its bank owing to difference between the levels of the street as finally constructed and the erf, unless he elects to build retaining walls to the satisfaction of and within a period to be determined by the local authority.

WHEREFORE the appearer, renouncing all the right and title the said

The Trustees of GOUWS FAMILIETRUST

heretofore had to the premises, did, in consequence also acknowledge them to be entirely dispossessed of, and disentitled to, the same; and that, by virtue of these presents, the said

5 SPICES PROPRIETARY LIMITED

its successors in title or assigns, now is and henceforth shall be entitled thereto, conformably to local customs; the State, however, reserving its rights, and finally acknowledging that the purchase price is the amount of R14 250 000,00 (Fourteen Million Two Hundred and Fifty Thousand Rand).

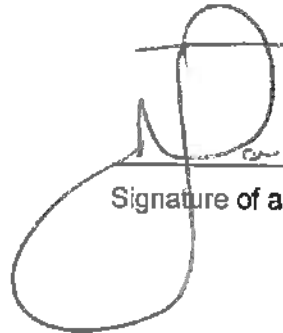
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1

IN WITNESS WHEREOF I, the said Registrar, together with the appearer, have subscribed to these presents, and have caused the seal of office to be affixed thereto.

THUS DONE AND EXECUTED at the Office of the Registrar of Deeds at Cape Town on

26 APR 2021



Signature of appearer *q.q.*

In my presence



Registrar of Deeds



Certificate issued by the Commissioner of Companies & Intellectual Property Commission on Monday, September 26, 2016 at 19:55



Companies and Intellectual Property Commission

a member of the dti group

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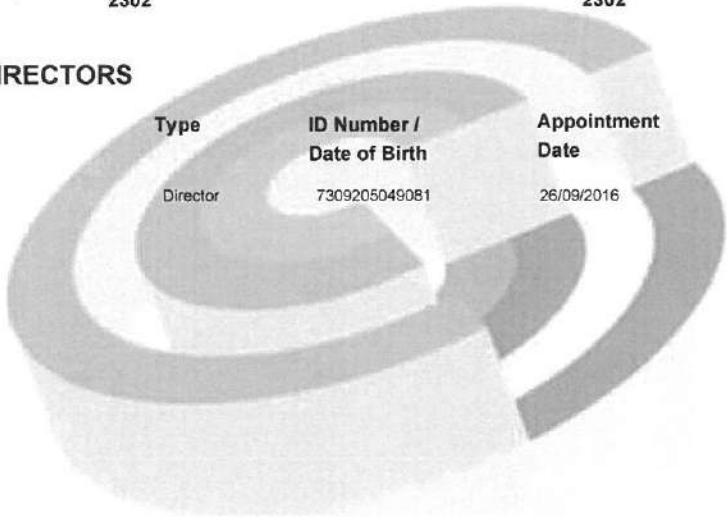
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GOULLEE TREVOR & BAILEY

| SIDES Metres | | ANGLES OF DIRECTION | CO-ORDINATES System Lo23° | | |
|-----------------|--------|------------------------|------------------------------|----------------|--|
| | | Constant: | Y | X | |
| | | | + 0,00 | + 3 750 000,00 | |
| A B | 44,84 | 241 53 10 | A + 43 126,18 | + 62 697,51 | |
| B C | 66,78 | 237 40 10 | B + 43 086,63 | + 62 676,39 | |
| C D | 345,67 | 354 09 20 | C + 43 030,21 | + 62 640,65 | |
| D E | 23,04 | 68 20 30 | D + 42 995,00 | + 62 984,53 | |
| E F | 42,78 | 74 49 40 | E + 43 016,41 | + 62 993,04 | |
| F G | 34,69 | 84 06 10 | F + 43 057,71 | + 63 004,23 | |
| G H | 33,12 | 179 05 30 | G + 43 092,21 | + 63 007,80 | |
| H J | 55,29 | 165 47 20 | H + 43 092,74 | + 62 974,68 | |
| J A | 224,46 | 174 55 30 | J + 43 106,31 | + 62 921,09 | |
| H K | 10,78 | 165 47 20 | K + 43 095,38 | + 62 964,23 | |
| | | GEO 9 Δ + | 50 788,32 + | 55 472,51 | |
| | | ODD 7 Δ + | 56 603,60 + | 51 940,04 | |

Description of Beacons

- A, B, C Piece of iron fencing standard 945mm long projecting 157mm
- D, E, F, G, K 20mm iron peg 600mm long
- H No Beacon
- J Planted stone 367mm x 157mm projecting 300mm

- The figure A B C x H J represents the remainder of portion 5 of the farm Zwart Rivier No.194. Vide diagram No.3819/1935 annexed to transfer 1936.9.404.
- The figure H x D E F G represents portion 156 of the farm Kraai-Bosch No.195. Vide diagram No.6295/85 annexed to transfer 1986- -3205

The figure A B C D E F G H J represents ~~3,3650 hectares~~ 3,3659 hectares of land, being Farm No 298 and comprises 1 and 2 above situate in the Administrative District of George Province of Cape of Good Hope. Compiled in July 1985 by me.

J. Bailey
Land Surveyor

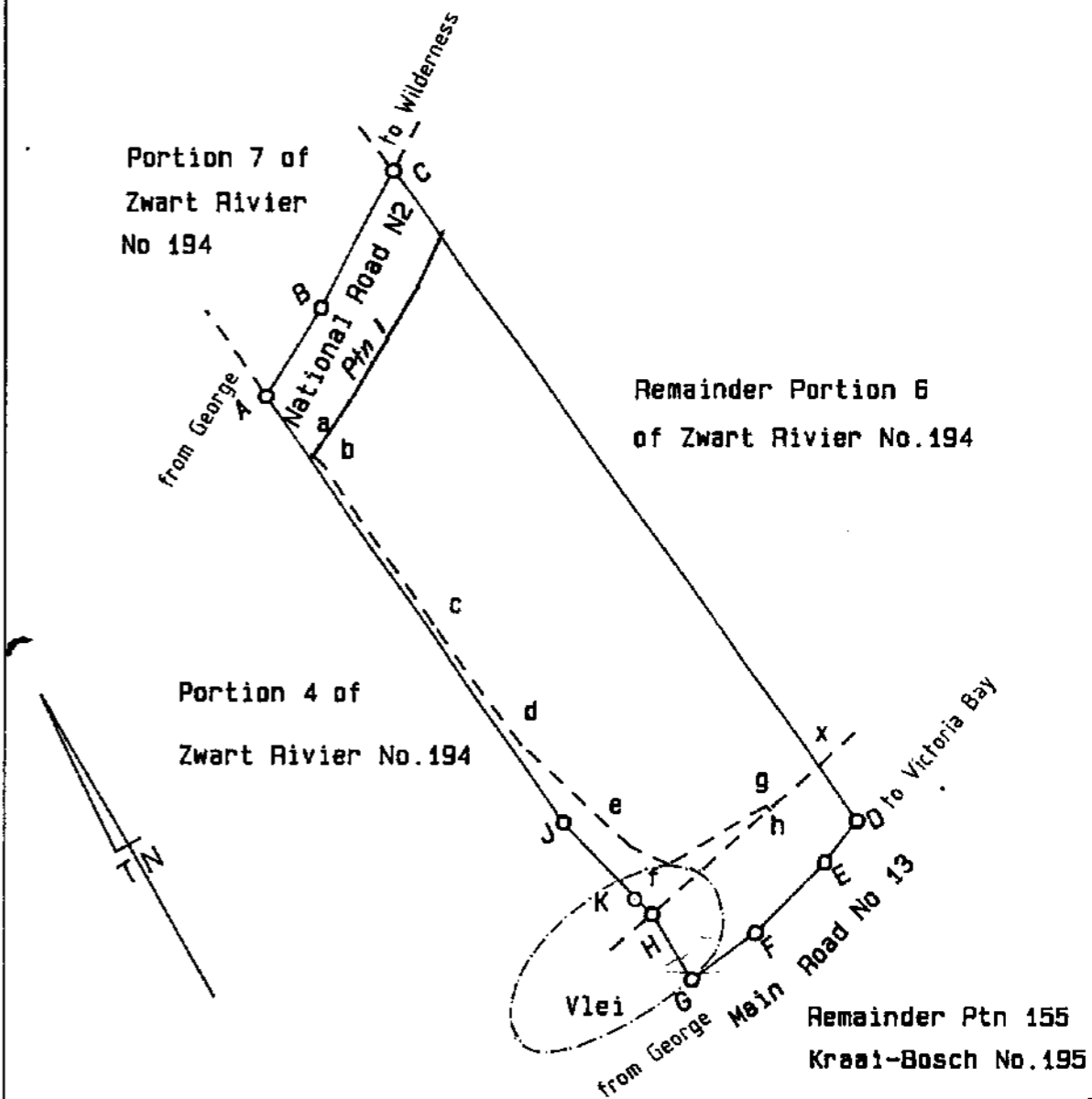
| | | |
|--|---|--|
| This diagram is annexed to Cert. of Consol. Title No. T.3206/1986 dated i.f.o. | The original diagrams are as quoted above | File No. Geor 298 S.R. No. Compiled Comp. BL-BCCC (6423) |
| Registrar of Deeds | | |

FOR ENDORSEMENTS
SEE BACK OF DIAGRAM

S.G. No.
6296-85
Approved
J. Bailey
Surveyor-General
85/10/23

Servitude Note

The line abcdefgh represents the eastern boundary of a water pipeline servitude 2m wide.
Vide diagram 6178/83.
Deed of servitude



Scale 1:3000

B
S

C

THE FOLLOWING DEDUCTIONS HAVE BEEN MADE FROM THIS DIAGRAM

| SURVEY RECORD | DIAGRAM NO. | SUBDIVISION | AREA HA./SQ. M. | TRANSFER NO. | INITIALED | REMR. |
|---------------|-------------|-------------|---------------------|--------------|-----------|-------|
| E704/2006 | 1827/2006 | Pln-1 | 3452 m ² | 51361/2011 | 79 | |
| | | | | | | |

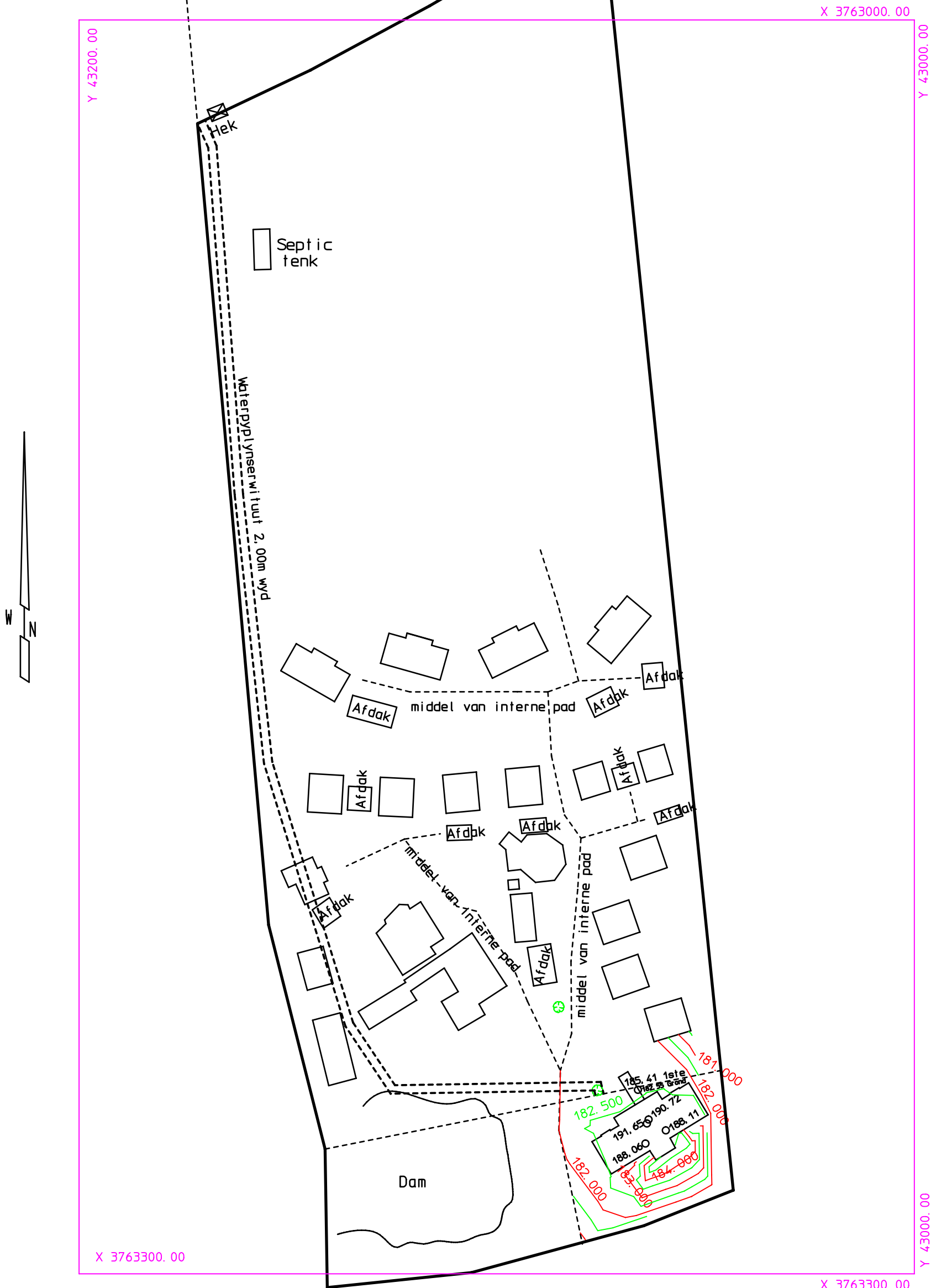
TERREINPLAN

GEORGE

RESTANT VAN DIE PLAAS 298

Provinsie Wes Kaap

SKAAL 1 : 1 000



Tel 044 874 0991
admin@landmeet.co.za



Ons verw no G0368



Copyright ©

**REMAINDER OF FARM 298 GEORGE
VICTORIA BAY ROAD, KAIMANS
GEORGE MUNICIPALITY & DIVISION**

For scale refer to figured dimensions. Measurements always to be checked by Professional Land Surveyor.

GEORGE MUNICIPALITY



LAND USE PLANNING PRE-APPLICATION CONSULTATION FORM

PLEASE NOTE:

Pre-application consultation is an advisory session and does not in any way pre-empt the outcome of any future application which may be submitted to the Municipality.

PART A: PARTICULARS

Reference number: **1893662**

Purpose of consultation: _____ **To discuss submission of land use application** _____

Brief proposal: _____ **Consent uses** _____

Property(ies) description: ___ **Farm 298 George** _____

Date: _____ **7 June 2021** _____

Attendees:

| | Name & Surname | Organisation | Contact Number | E-mail |
|---------------|------------------|---------------------------|----------------|---------------------------|
| Official | Jeanne Fourie | George Mun. | 0448019138 | jfourie@george.gov.za |
| Pre-applicant | Marlize de Bruyn | Marlize de Bruyn Planning | 0766340150 | marlize@mdbplanning.co.za |
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |

Documentation provided for discussion:

(Include document reference, document/plan dates and plan numbers where possible and attach to this form)

___ Copy of title deed, locality & aerial plan _____

Has pre-application been undertaken for a Land Development application in terms of section 53 of the Land Use Planning Act, 2014 (Act 3 of 2014) (LUPA) with the Department of Environmental Affairs & Development Planning (DEA&DP)?

(If so, please provide a copy of the minutes)

Comprehensive overview of proposal:

| | |
|-----|----|
| YES | NO |
|-----|----|

Farm 298 is better known as Victoria Bay Lodge, located along the Victoria Bay-road close to the turn off from the N2-route. The property has been for sale for many years. The new owner is proposing an upgrade of the resort. The existing chalets will be upgraded and possible additional chalets are considered for the terraces closer to the N2-route.

The existing main house & reception close to the entrance from the provincial road is proposed to receive the biggest upgrade. The reception will remain. The remainder of the structure with additions is to be converted to a 5-star, 6-bedroom boutique hotel with a restaurant. It is proposed to use the roof space and create a third level which will provide the restaurant with a sea view. The height will be approximately to where the structure goes at present. Smaller functions are also proposed to be provided for. Therefore, except for a SDP, consent uses are proposed to be added, namely hotel, function venue & tourist facility.

According to the zoning viewer, the property has consent for a resort shop (possibly Section 8 Zoning Scheme Regulations) which is now a primary land use right for tourist accommodation.

Services provision are being investigated, plan-proposals made and then possible implications in terms of the NEMA is to be investigated.

SECTION A:

DETERMINATION OF APPLICATION TYPES, PRESCRIBED NOTICE AND ADVERTISEMENT PROCEDURES

| Tick if relevant | | What land use planning applications are required in terms of section 15 of the Land-Use Planning By-law for George Municipality? | Application fees payable |
|------------------|-------------|--|--------------------------|
| | 2(a) | a rezoning of land; | R |
| | 2(b) | a permanent departure from the development parameters of the zoning scheme; | R |
| | 2(c) | a departure to use land for a purpose not provided for in the zoning scheme granted on a temporary basis; | R |
| | 2(d) | a subdivision of land that is not exempted in terms of section 24, including the registration of a servitude or lease agreement; | R |
| | 2(e) | a consolidation of land which is not exempted in terms of section 24; | R |
| | 2(f) | an amendment, suspension or removal of restrictive conditions in respect of a land unit; | R |
| x | 2(g) | a permission required in terms of the zoning scheme; | R500.00 |
| | 2(h) | an amendment, deletion or imposition of conditions in respect of an existing approval; | R |
| | 2(i) | an extension of the validity period of an approval; | R |
| | 2(j) | an approval of an overlay zone as provided for in the zoning scheme; | R |
| | 2(k) | a phasing, amendment or cancellation of a plan of subdivision or a part thereof, including a general plan or diagram; | R |
| | 2(l) | a permission required in terms of the conditions of approval; | R |
| | 2(m) | a determination of a zoning; | R |
| | 2(n) | a closure of a public place or part thereof; | R |
| x | 2(o) | a consent use provided for in the zoning scheme; | R1420.00 |
| | 2(p) | an occasional use of land; | R |
| Tick if relevant | | What prescribed notice and advertisement procedures will be required? | Advertising fees payable |
| Y | N | Serving of notices (i.e registered letters etc.) | R |
| Y | N | Publication of notices (i.e Provincial Gazette, Local media(s) etc.) | R |

| | | | |
|--------------------------------|---|--|---|
| Y | N | Additional publication of notices (i.e Site notice, public meeting, local radio, website, letters of consent etc.) | R |
| Y | N | Placing of final notice (i.e Provincial Gazette etc.) | R |
| Y | N | Integrated procedures | R |
| TOTAL APPLICATION FEE*: | | | To be determined with final application proposal |

PLEASE NOTE: * Application fees are estimated on the information discussed and are subject to change with submission of the formal application.

SECTION B:

PROVISIONS IN TERMS OF THE RELEVANT PLANNING LEGISLATION / POLICIES / GUIDELINES

| QUESTIONS REGARDING PLANNING POLICY CONTEXT | YES | NO | TO BE DETERMINED | COMMENT |
|--|-----|----|------------------|---------|
| Is any Municipal Integrated Development Plan (IDP)/Spatial Development Framework (SDF) and/or any other Municipal policies/guidelines applicable? If yes, is the proposal in line with the aforementioned documentation/plans? | x | | | |
| Any applicable restrictive condition(s) prohibiting the proposal? If yes, is/are the condition(s) in favour of a third party(ies)? [List condition numbers and third party(ies)] | | | x | |
| Any other Municipal by-law that may be relevant to application? (If yes, specify) | | x | | |
| Zoning Scheme By-law considerations: What is the current zoning of the property? _____ Resort Zone | | | | |
| What is the proposed zoning of the property? _____ Resort Zone | | | | |
| Does the proposal fall within the provisions/parameters of the zoning scheme? _____ To be determined | | | | |

| | |
|--|--|
| Are additional applications required to deviate from the zoning scheme? (if yes, specify) ___ To be determined _____ | |
|--|--|

| QUESTIONS REGARDING OTHER PLANNING CONSIDERATIONS | YES | NO | TO BE DETERMINED | COMMENT |
|---|-----|----|------------------|---------|
| Is a land development application required in terms of section 53(2) of LUPA? | | x | | |
| Is a development application affecting national interest in terms of section 52(3) of Spatial Planning Land Use Management Act, 2013 (Act 16 of 2013) (SPLUMA), required? | | x | | |
| Is the proposal in line with the principles for land development, set out in SPLUMA & LUPA? | x | | | |
| Is the proposal in line with the Provincial Spatial Development Framework (PSDF) and/or any other Provincial bylaws/policies/guidelines/documents? | x | | | |
| Are any regional/district spatial plans relevant? If yes, is the proposal in line with the document/plans? | | x | | |

SECTION C:

CONSENT / COMMENT REQUIRED FROM OTHER ORGANS OF STATE

| QUESTIONS REGARDING CONSENT / COMMENT REQUIRED | YES | NO | TO BE DETERMINED | OBTAIN APPROVAL / CONSENT / COMMENT FROM: |
|---|-----|----|------------------|---|
| Is/was the property(ies) utilised for agricultural purposes? | | x | | Western Cape Provincial Department of Agriculture |
| Will the proposal require approval in terms of Subdivision of Agricultural Land Act, 1970 (Act 70 of 1970)? | | x | | National Department of Agriculture, Forestry and Fisheries (DAFF) |
| Will the proposal trigger a listed activity in terms of National Environmental Management Act, 1998 (Act 107 of 1998) (NEMA)? | | | x | Western Cape Provincial Department of Environmental Affairs & Development Planning (DEA&DP) |
| Will the proposal require authorisation in terms of Specific Environmental Management Act(s) (SEMA)? | | | x | National Department of Environmental Affairs (DEA) & DEA&DP |

| | | | | |
|---|--|---|---|---|
| (National Environmental Management: Protected Areas Act, 2003 (Act 57 of 2003) (NEM:PAA) / National Environmental Management: Biodiversity Act, 2004 (Act 10 of 2004) (NEM:BA) / National Environmental Management: Air Quality Act, 2004 (Act 39 of 2004) (NEM:AQA) / National Environmental Management: Integrated Coastal Management Act, 2008 (Act 24 of 2008) (NEM:ICM) / National Environmental Management: Waste Act, 2008 (Act 59 of 2008) (NEM:WA) (strike through irrelevant) | | | | |
| Will the proposal require authorisation in terms of the National Water Act, 1998 (Act 36 of 1998)? | | x | | National Department of Water & Sanitation (DWS) |
| Will the proposal trigger a listed activity in terms of the National Heritage Resources Act, 1999 (Act 25 of 1999)? | | | x | South African Heritage Resources Agency (SAHRA) & Heritage Western Cape (HWC) |
| Will the proposal have an impact on any National or Provincial roads? | | | x | National Department of Transport / South Africa National Roads Agency Ltd. (SANRAL) & Western Cape Provincial Department of Transport and Public Works (DTPW) |
| Will the proposal trigger a listed activity in terms of the Occupational Health and Safety Act, 1993 (Act 85 of 1993): Major Hazard Installations Regulations | | x | | National Department of Labour (DL) |
| Will the proposal affect any Eskom owned land and/or servitudes? | | x | | Eskom |
| Will the proposal affect any Telkom owned land and/or servitudes? | | x | | Telkom |
| Will the proposal affect any Transnet owned land and/or servitudes? | | x | | Transnet |
| Is the property subject to a land / restitution claims? | | x | | National Department of Rural Development & Land Reform |
| Will the proposal require comments from SANParks and/or CapeNature? | | | x | SANParks / CapeNature |
| Is the property subject to any existing mineral rights? | | x | | National Department of Mineral Resources |
| Does the proposal lead to densification to such an extent that the number of schools, healthcare facilities, libraries, safety services, etc. In the area may be impacted on? | | x | | Western Cape Provincial Departments of Cultural Affairs & Sport (DCAS), |

| | | | | |
|----------------------------|--|--|--|---|
| (strikethrough irrelevant) | | | | Education, Social Development, Health and Community Safety |
|----------------------------|--|--|--|---|

SECTION D:

SERVICE REQUIREMENTS

| DOES THE PROPOSAL REQUIRE THE FOLLOWING ADDITIONAL INFRASTRUCTURE / SERVICES? | YES | NO | TO BE DETERMINED | OBTAIN COMMENT FROM: (list internal department) |
|---|-----|----|------------------|---|
| Electricity supply: | | | x | |
| Water supply: | | | x | |
| Sewerage and waste water: | | | x | |
| Stormwater: | | | x | |
| Road network: | | | x | |
| Telecommunication services: | | | x | |
| Other services required? Please specify. | | | x | |
| Development charges: | | | x | |

PART D: COPIES OF PLANS / DOCUMENTS TO BE SUBMITTED AS PART OF THE APPLICATION

| COMPULSORY INFORMATION REQUIRED: | | | | | | |
|---|----------|---|--|----------|----------|--|
| Y | N | Completed application form | | Y | N | Pre-application checklist (where applicable) |
| Y | N | Power of Attorney / Owner's consent if applicant is not owner (if applicable) | | Y | N | S.G. noting sheet extract / Erf diagram / General Plan |
| Y | N | Motivation report / letter | | Y | N | Full copy of the Title Deed |
| Y | N | Proof of payment of fees | | Y | N | Bondholder's consent |
| Y | N | Locality plan | | Y | N | Site layout Plan |
| MINIMUM AND ADDITIONAL REQUIREMENTS: | | | | | | |
| Y | N | Conveyancer's Certificate | | Y | N | Land Use Plan / Zoning plan |
| Y | N | Proposed Subdivision Plan (including street names and numbers) | | Y | N | Phasing Plan |

| | | | | | |
|---|---|--|---|---|---|
| Y | N | Consolidation Plan | Y | N | Copy of original approval letter (if applicable) |
| Y | N | Site development Plan | Y | N | Landscaping / Tree Plan |
| Y | N | Abutting owner's consent | Y | N | Home Owners' Association consent |
| Y | N | Services Report or indication of all municipal services / registered servitudes | Y | N | Required number of documentation copies |
| Y | N | Copy of Environmental Impact Assessment (EIA) / Heritage Impact Assessment (HIA) / Traffic Impact Assessment (TIA) / Traffic Impact Statement (TIS) / Major Hazard Impact Assessment (MHIA) / Environmental Authorisation (EA) / Record of Decision (ROD) <i>If applicable</i> (strikethrough irrelevant) | Y | N | 1 : 50 / 1:100 Flood line determination (plan / report) |
| Y | N | Any additional documents or information required as listed in the pre-application consultation form / minutes | Y | N | Other (specify) |

PART E: DISCUSSION

Town Planning:

1. Density of the proposal should be addressed and should align with the rural development guidelines;
2. Visual impact assessment is required as well as visual renderings from the N2 and Victoria Bay road.
3. Address MSDF;
4. Indicate if development will take place in phases;
5. Detailed site layout plan will be required;
6. Possible deviation from the rural guidelines which is incorporated with the MSDF and deviation should be motivated and decision will be with the Tribunal;
7. Possible EIA and should be referred to DEA&DP environmental affairs to determine if a listed activity is triggered.
8. Grown trees on site should be mapped and all indigenous trees should remain in place.

CES:

1. DRE to comment on access. SANRAL will required to provided comments in terms of their planed N2 upgrades. Other normal development conditions will apply (09/06/2021)

ETS:

1. To be discussed with ETS.


PART F: SUMMARY / WAY FORWARD

Require more detail and at least a proposed site layout plan to provide meaningful response.

**Please note that the above comments are subject to the documents and information available to us at the time of the pre-application meeting and we reserve our rights to elaborate on this matter further and/or request more information/documents should it deemed necessary.*

OFFICIAL: **Jeanne Fourie**
(FULL NAME)

PRE-APPLICANT: Marlize de Bruyn
(FULL NAME)

SIGNED: 

SIGNED: _____

DATE: **10 June 2021**

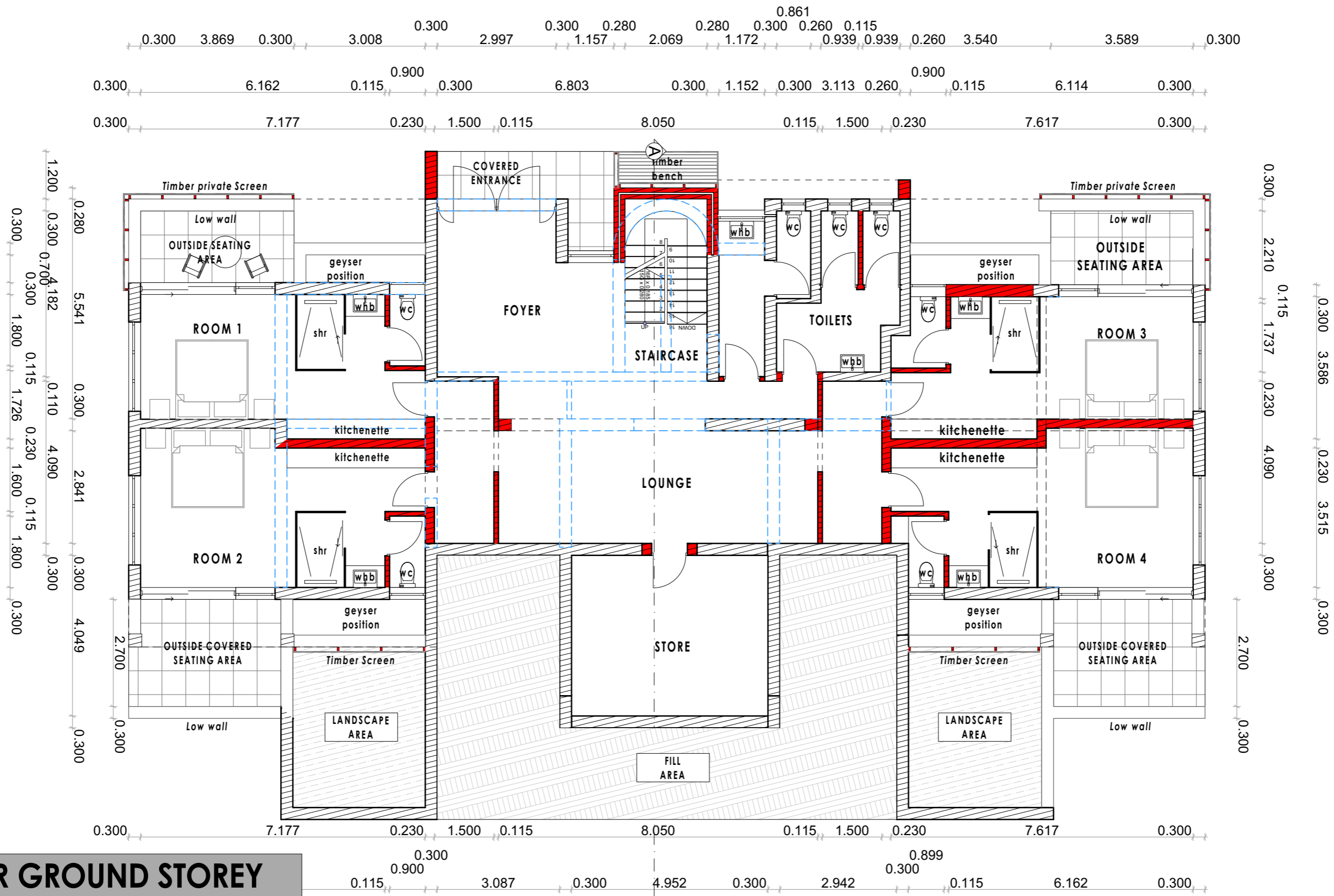
DATE: 7 June 2021



SITE DEVELOPMENT PLAN
SCALE 1:500 ON A1

PROJECT: ERF 298/0 VICTORIA BAY

SITE DEVELOPMENT PLAN



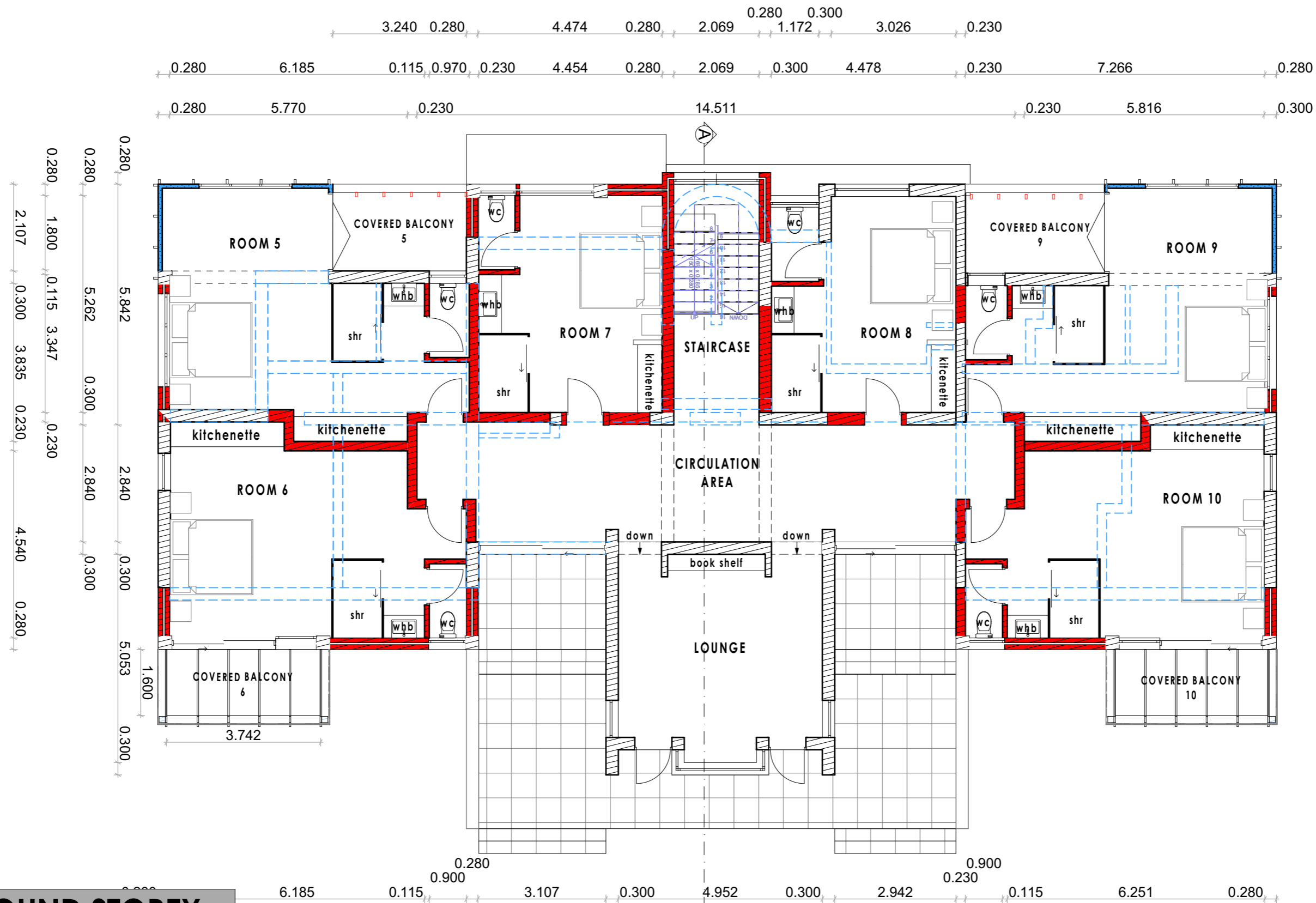
LOWER GROUND STOREY
SCALE 1:100

PROJECT: ERF 298/0 VICTORIA BAY

SKETCH PLAN 02
 LOWER GROUND STOREY



11/10/2023



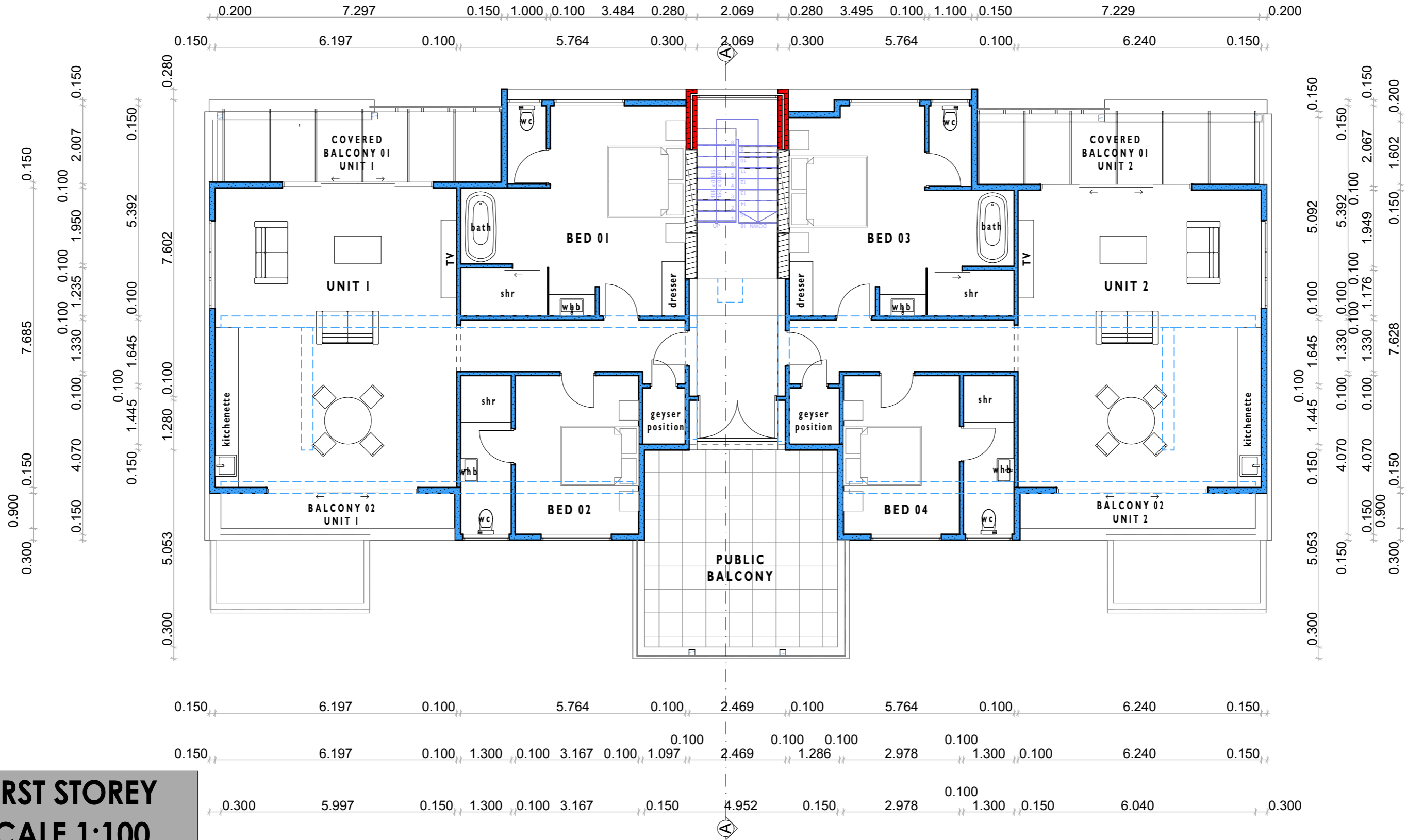
**GROUND STOREY
SCALE 1:100**

PROJECT: ERF 298/0 VICTORIA BAY

SKETCH PLAN 02
GROUND STOREY



0202/0111



**FIRST STOREY
SCALE 1:100**

PROJECT: ERF 298/0 VICTORIA BAY

SKETCH PLAN 02
FIRST STOREY



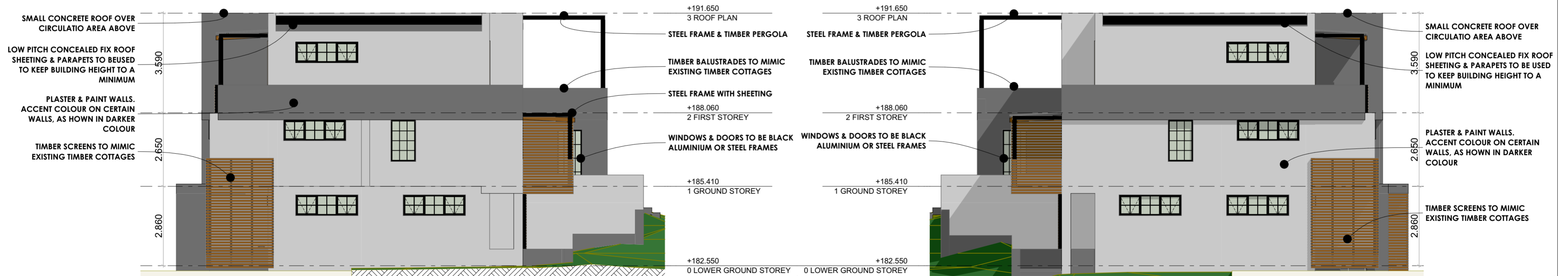
11/10/2023



South Elevation
1:100



North Elevation
1:100



West Elevation
1:100

West Elevation
1:100

PROJECT: ERF 298/0 VICTORIA BAY

SKETCH PLAN 02
ELEVATIONS



11/10/2023



PROJECT: ERF 298/0 VICTORIA BAY

SKETCH PLAN 02

RENDERINGS



11/10/2023



Report:

Visual impact assessment for the proposed Farm 298 Vic Bay development

Reference: DC310823
Prepared for: Dun Cron
Revision: 1
7 September 2023

Report details

Document prepared by:

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|------------------|------------------|--|--------------------------------|
| Report title | | Visual impact assessment for the proposed Farm 298 Vic Bay development | |
| Report status | | Final | Report number DC310823 |
| Client | | Dun Cron | Client contact Ann May Moolman |
| Rev | Date | Author | |
| 1 | 7 September 2023 | Paul Buchholz | |

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Annexures

No Annexures

GLOSSARY

| | |
|-------------------------|---|
| Aesthetics | Relates to the pleasurable characteristics of a physical environment as perceived through the five senses of sight, sound, smell, taste, and touch. |
| Adverse visual impact | Any modification in landforms, water bodies, vegetation or any introduction of structures which negatively impacts the visual character of the landscape and disrupts the harmony of the basic elements (i.e. form, line, colour and texture). |
| Basic elements | The four design elements (form, line, colour and texture) which determine how the character of a landscape is perceived. |
| Contrast | Opposition or unlikeness of different forms, lines, colours or textures in a landscape and therefore the degree to which project components visually differs from its landscape setting. |
| Colour | The property of reflecting light of a particular intensity and wavelength (or a mixture of wavelengths) to which the eye is sensitive. It is the major visual property of surfaces. |
| Form | The mass or shape of an object(s) which appears unified, such as a vegetative opening in a forest, a cliff formation or a water tank. |
| Integration | The degree to which a development component can be blended into the existing landscape without necessarily being screened from view. |
| Interfluve | The area of higher ground which separates two rivers/watercourses which flow into the same drainage system |
| Key viewing locations | One or more points on a travel route, use area or a potential use area, where the view of a management activity would be most revealing. |
| Landscape character | The arrangement of a particular landscape as formed by the variety and intensity of the landscape features and the four basic elements of form, line, colour and texture. These factors give the area a distinctive quality which distinguishes it from its immediate surroundings. |
| Landscape features | Land and water form, vegetation and structures which compose the characteristic landscape. |
| Line | The path (real or imagined) that the eye follows when perceiving abrupt differences in form, colour or texture. Within landscapes, lines may be found as ridges, skylines, structures, changes in vegetative types or individual trees and branches. |
| Micro-topography | Small scale variations in the height and roughness of the ground surface; in the context of this report the definition includes structures such as buildings and larger-sized vegetation that can restrict views |
| Mitigation measures | Methods or procedures designed to reduce or lessen the adverse impacts caused by management activities. |
| Mountain, hill or ridge | Is a physical landscape feature, elevated above the surrounding landscape. It includes the foot/base, slopes and crest of the mountain, hill or ridge |
| Rehabilitation | A management alternative and/or practice which restores landscapes to a desired scenic quality. |
| Ridgelines | Ridgelines are defined as the line formed by the meeting of the tops of sloping surfaces of land. Significant ridgelines are ridgelines which, in general, are highly |

| | |
|---------------------|--|
| | visible and dominate the landscape. |
| Scale | The proportionate size relationship between an object and the surroundings in which the object is placed. |
| Sense of place | The unique quality or character of a place, whether natural, rural or urban and relates to uniqueness, distinctiveness or strong identity. It is also sometimes referred to as genius loci meaning 'spirit of the place. |
| Texture | The visual manifestations of the interplay of light and shadow created by the variations in the surface of an object or landscape. |
| Visual modification | A measure of the visual interaction between a development and the landscape setting within which it is located. |
| Viewshed | The creation of a computer generated probable viewshed to define the extent to which the planned infrastructure is visible from key viewing locations. |
| Visual Sensitivity | The degree to which a change to the landscape will be perceived adversely. |
| Visual Impact | A measure of joint consideration of both visual sensitivity and visual modification |

1. INTRODUCTION

1.1 General

Visual impact assessments should not be an obstacle in the approval process of a proposed development. Visual input, especially at the early concept stage of the project, can play an important role in helping to formulate design alternatives, as well as minimising impacts, and possibly even costs, of the project

It is in the nature of visual and scenic resources to include abstract qualities and connotations that are by their nature difficult to assess or quantify as they often have cultural or symbolic meaning. An implication of this is that impact ratings cannot simply be added together. Instead, the assessment relies on the evaluation of a wide range of considerations, both objective and subjective, including the context of the proposed project within the surrounding area.

The analysis of the interaction between the existing visual environment and the planned infrastructure provides the basis for determining visual impacts and mitigation strategies. This visual impact assessment provides an overview of the landscape character of the locality and assesses the degree to which the proposed development would be visually appropriate.

1.2 Methodology

1.2.1 The sequence of work employed in this study

A desktop survey using 1:50,000 topographical survey maps, Google Earth, and ArcMap (Esri, ArcGIS software) was undertaken. Following the desktop information gathering process, a site visit was conducted to test the conclusions of the terrain analysis, identify receptors and appraise the local landscape.

The methodology employed by this visual assessment is based on the following methodologies:

- The United States Department of Agriculture: Forestry Service - *Landscape Aesthetics*;
- The United States Bureau of Land Management Visual Resources Management;
- The Landscape Institute and the Institute of Environmental Management & Assessment - Guidelines for Landscape and Visual Impact Assessment; and
- The Provincial Government of the Western Cape's Guideline for involving visual and aesthetic specialists in EIA processes and the Guidelines for Landscape

1.2.2 Written and drawn material was made available

- Architectural drawings and 3D models of the proposed houses
- Visual Impact Assessment Terms of Reference

1.2.3 Receiving site

The receiving site was assessed, and areas of the locality from where the proposed development appeared to be likely visible, adjacent lands, and local roads.

This study was conducted in September 2023. A photographic survey of the site and surrounding areas was carried out.

The visual assessment was undertaken using standard criteria such as geographic view-sheds and viewing distances as well as qualitative criteria such as compatibility with the existing landscape character and settlement pattern. Potentially sensitive areas were assessed, and mitigation measures were evaluated.

1.3 Assumptions and limitations

It should be noted that the 'experiencing' of visual impacts is subjective and largely based on the perception of the viewer or receptor. The presence of a receptor in an area potentially affected by the proposed development does not thus necessarily mean that a visual impact would be experienced.

Value can be placed in a landscape in terms of its aesthetic quality, or in terms of its sense of identity or sense of place with which it is associated. If no such values are held for a landscape, there is less likely to be a perception of a visual impact if the landscape becomes subject to visual alteration. Development within a landscape may not be perceived negatively at all if the development is associated with progress or upliftment of the human condition.

The perception of visual impacts is thus highly subjective and involves 'value judgements' on behalf of the receptor. The context of the landscape character, the scenic/aesthetic value of an area, and the types of land use practised tend to affect the perception of whether landscape change (through development) would be considered an unwelcome intrusion.

The abovementioned landscape values can be interlinked, but can also be conflicting, e.g. amenity values associated with a landscape held by a certain group of people as described above may conflict with economic values associated with the market or development possibility of the landscape that is held by others. It is in this context that visual impact associated with a potential development often arises as an issue in environmental impact assessments.

1.3.1 Data

The best currently and readily available datasets were utilized for the visual impact assessment. It is important to note that variations in the quality, format and scale of available datasets could limit the scientific confidence levels of the visual impact assessment outcomes.

1.3.2 Viewshed analysis

Slope and aspect are very important in the context of views. Topography expressed in the form of slope and aspect can perform an important role in limiting views or 'focusing' views in a certain direction. Viewers located low down within an enclosed valley would experience a limited visual envelope or viewshed, as the rising topography around them would prevent wider views of the surrounding terrain beyond the immediate valley.

Similarly, an object placed lower down in such an enclosed valley would have a limited viewshed, being shielded or partly shielded by the terrain surrounding it. A viewer located on a hill slope with a certain aspect would only be able to view the surrounding terrain in the direction of the aspect of the slope. Conversely, a viewer on a higher-lying interfluvium will be exposed to potentially wide-ranging views over the surrounding terrain, and large objects placed in these terrain settings could similarly be visible from a wide area.

The micro-topography within the landscape setting in which the viewer and object are located is also important. The presence of micro-topographical features and objects such as buildings or vegetation that would screen views from a receptor position to an object can remove any visual impact factor associated with it.

Fischer (1995) analysed the effects of data errors on viewsheds calculated by Geographic Information Systems and has shown that the calculations are extremely sensitive to small errors in the data and the resolution of the data and the errors in viewer location and elevation. Other studies have also shown that

a viewshed calculated using the same data but with eight different Geographic Information Systems can produce eight different results.

Hankinson (1999) also states that viewsheds are never accurate, and they contain several sources of error and may not always be feasible to separate these errors or to estimate their size and potential effects. It is, therefore, better to describe a viewshed analysis as a probable view-shed that must be subjected to subsequent field testing and verification.

A probable viewshed can be based on topography only and shows areas that will be screened by intervening hills, mountains etc. A probable topographic (digital terrain relief model - DTM) view-shed does not consider heterogeneous and complex natural and man-made elements in the surrounding landscape (Figure 1). A digital terrain model (DTM) can be created from existing contour data. A viewshed based on a digital surface model (DSM) does consider intervening vegetation, buildings or small variations in topography, such as road cuttings (Figure 1). Digital surface models are expensive and not a viable option for small projects

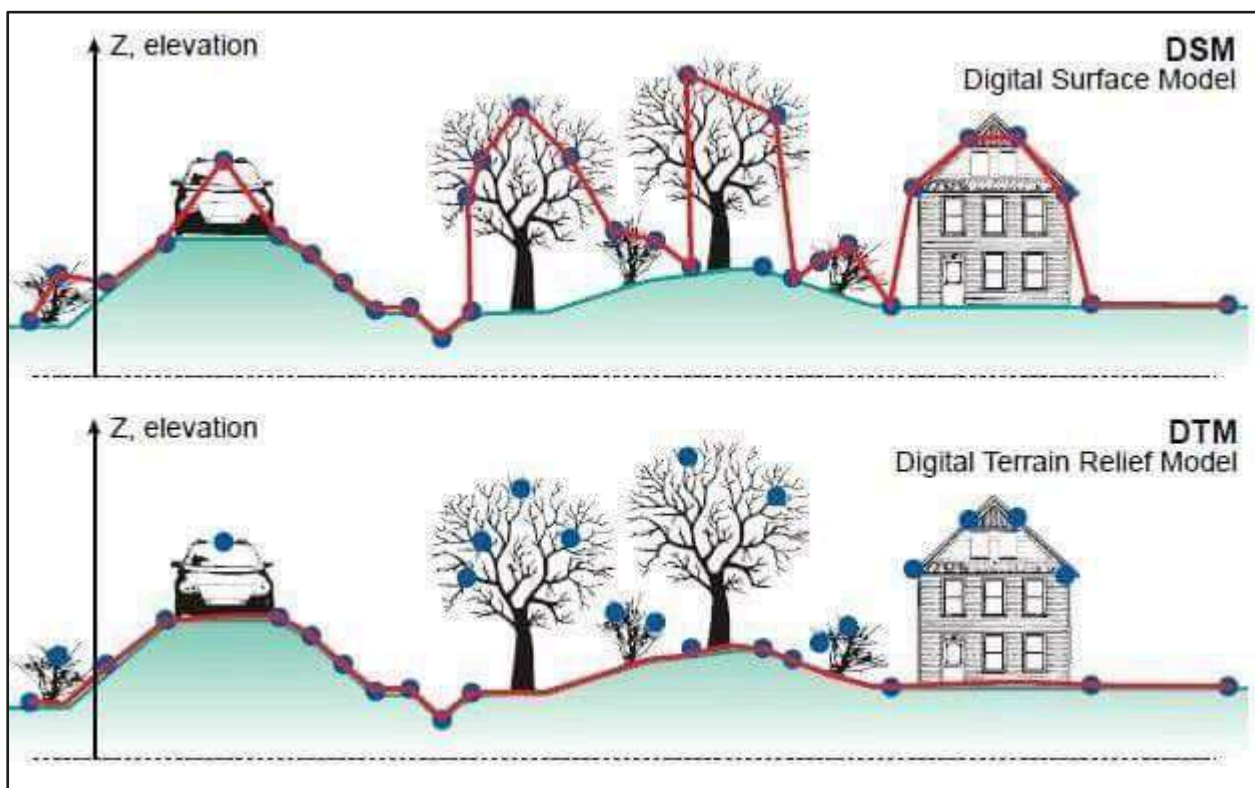


Figure1: Terrain models

Therefore, a probable viewshed is a conservative assessment of those areas that may be visually impacted by the planned infrastructure. Increasing the sophistication/accuracy of the probable viewshed by the addition of data (DSM) on complex natural and man-made elements in the landscape is desirable, but it will introduce further errors of detail and interpretation in the viewshed analysis.

1.3.3 Visualisation

It must be remembered that any visualisation (3D models, photomontages, photos and maps) of complex natural and man-made elements produces perceptions, interpretations and value judgements that are not always consistent with those that would be produced by actual encounters with the elements represented. Visualisations should, therefore, be considered an approximation of the three-dimensional visual experiences that an observer would receive in the field and must be subjected to subsequent field testing and verification

Photomontage is the superimposition of an image onto a photograph to create a realistic representation of proposed or potential changes to any view. The overall aim of photography and photomontage is to represent the landscape context under consideration and the proposed development, both as accurately as is practical. It must be kept in mind that the human eye sees differently than a camera lens, both optically and figuratively.

The focusing mechanisms of human eyes and camera lenses are different. Human vision is binocular, and dynamic compared to a camera that tends to flatten an image.

2. APPLICABLE POLICIES AND GUIDELINES

Several government policies and plans, guidelines, environmental management instruments and other decision-making instruments are relevant to the site and development and have been reviewed. These include:

2.1 The Western Cape Provincial Spatial Development Framework (PSDF)

Makes provision for:

- the protection and sustainable use of Landscape and Scenic Resources,
- the protection, management and enhancement of the province's Sense of Place, Heritage and Cultural Landscape

2.2 The George Spatial Development Framework

The George Spatial Development Framework (GSDF) states that the impact of developments on visual landscapes and corridors must be minimized.

The GSDF recognizes the following:

- Valuable view corridors, undeveloped ridgelines, cultural landscape assets and existing vistas should not be compromised by any development proposal or cumulative impact of development proposals. The proportion of urban development up the slope of a prominent hill or mountain should not degrade its aesthetics/visual value
- Developments higher than the 280m contour line or on slopes steeper than 1:4 must be prevented
- Scenic routes provide public access to the enjoyment of the landscapes located in the municipal area. The routes and the land use alongside these routes should be managed in such a way as to not compromise the views offered but to mark and celebrate the landscapes and the origins or nature of their significance.

2.3 The George Municipality Landscape Characterisation Visual Resources Management Analysis

The George Municipality's Landscape Characterisation Visual Resource Management Analysis (2009) determines visually sensitive areas in the George landscape and must be applied to manage the visual impacts of development.

The George Municipality's Landscape Characterisation Visual Resource Management Analysis states the following:

- Significant view corridors add value to George's sense of place and create a perception of space

- by focussing on views outside of the built-up envelope.
- The road systems in the Garden Route are a vital component of the tourism economy as they create scenic view corridors. View corridors are linear geographic areas that are visible to users of the route, usually situated along movement routes such as the Seven Passes road to Knysna.
 - A Class I Visual Resource Management is assigned to those areas where a management or specialist decision has been made to maintain a natural landscape. Significant ridgelines within the George municipal area have been allocated a Class 1 rating.

2.4 The Garden Route Environmental Framework

This document provides baseline data on the Topographical, Visual and 'Sense of Place' aspects of the Garden Route, the sensitivity, constraints and development guidelines for the area assist in informing decision-making.

Management Guidelines are provided for Ecologically Sensitive Geographical Areas. Of particular reference to this report are the guidelines for development in:

- Topographically Sensitive Geographical Areas;
- Conservation and Protected Areas; and
- Visually Sensitive Landscape Geographical Areas.

Risks include:

- Erosion of steep slopes;
- The potential for visual and light pollution;
- Destruction of visual topographical quality;
- Development impact of sensitive topographical features and landscapes;
- Inappropriate large-scale development;
- Sprawling urbanization; and
- Large-scale change of land use developments outside of the urban edge.

Objectives include:

- Maintain the integrity of the Garden Route Landscape;
- Limit development on steep slopes;
- Enhance and protect the topographical landscape backdrop to the Garden Route;
- Manage development on steep slopes, discouraging development;
- Limit development densities
- Retain the 'sense of place' of villages and hamlets;
- Enforce building control and aesthetics;
- Protect the 'sense of place' of the Garden Route;
- Protect and enhance the visual quality of prominent tourism routes, meanders and nodes;
- Protect the visual integrity of the South African National Park asset, as well as provincial nature reserves; and
- Limit and prohibit the development of prominent visually sensitive and exposed features.

2.5 Heritage and Scenic Resources: Inventory and Policy Framework for the Western Cape

The study provides input on cultural and scenic resources and provides a guide for the identification and conservation of these resources. The report focuses on the broader regional scale rather than the local landscapes or individual site scales and is, therefore, an overview rather than a detailed inventory of cultural and scenic resources.

2.6 DEA&DP Guideline for Management of Development on Mountains, Hills & Ridgelines

Key decision-making criteria regarding development on mountains, hills and ridges, relevant to this visual impact assessment, are:

- to avoid inappropriate development (i.e. intrusive and consumptive development) on mountains, hills and ridges taking into account the character of the existing environment;
- to ensure that where development does take place, its layout and design take account of sensitive features and environmental constraints, thereby promoting environmentally sensitive development of projects on mountains, hills and ridges where development is authorized;
- to preserve landform features by ensuring that the siting of facilities is related to environmental resilience and visual screening capabilities of the landscape;
- to ensure that the scale, density and nature of the developments are harmonious and in keeping with the sense of place and character of the area.

Environmental characteristics such as steep slopes (steeper than 1:4) and development on the crest of a mountain, hill or ridge will serve as key indicators of environmental sensitivity.

3. PROJECT DESCRIPTION

3.1 Project location

Within the broad physiographic context, the property is located in the Garden Route area. This area extends from Mossel Bay in the west to Natures Valley in the east. To the north, the area is bordered by the Outeniqua Mountain Range and in the south by the Indian Ocean. Fluvial action has resulted in many steep-sided river valleys closer to the sea.

The proposed project will be located on Farm 298 better known as Victoria Bay Lodge, located along Victoria Bay Road close to the turn-off from the N2 Road. The property is located approximately 10km southeast of the town of George which is the main urban and industrial town in the region. Victoria Bay is situated to the south of the property (Figure 2).

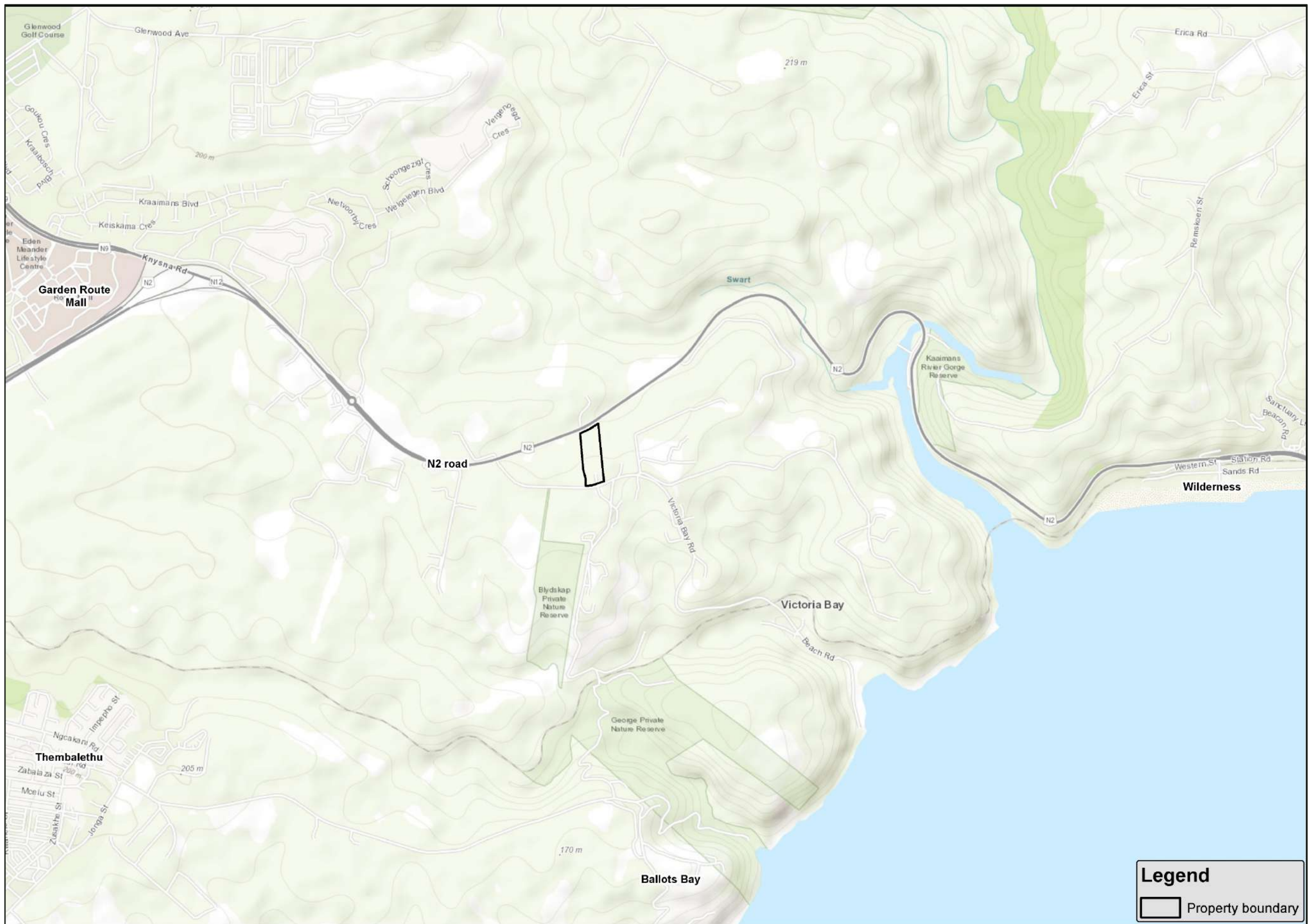


Figure 2: Project location

3.2 Development description

The existing two-storey main house & reception located next to Victoria Bay Road will be converted into a boutique hotel (Figure 12). The existing building footprint will remain and it is proposed to use the roof space and create a third level which will provide sea views (Figures 3-7).

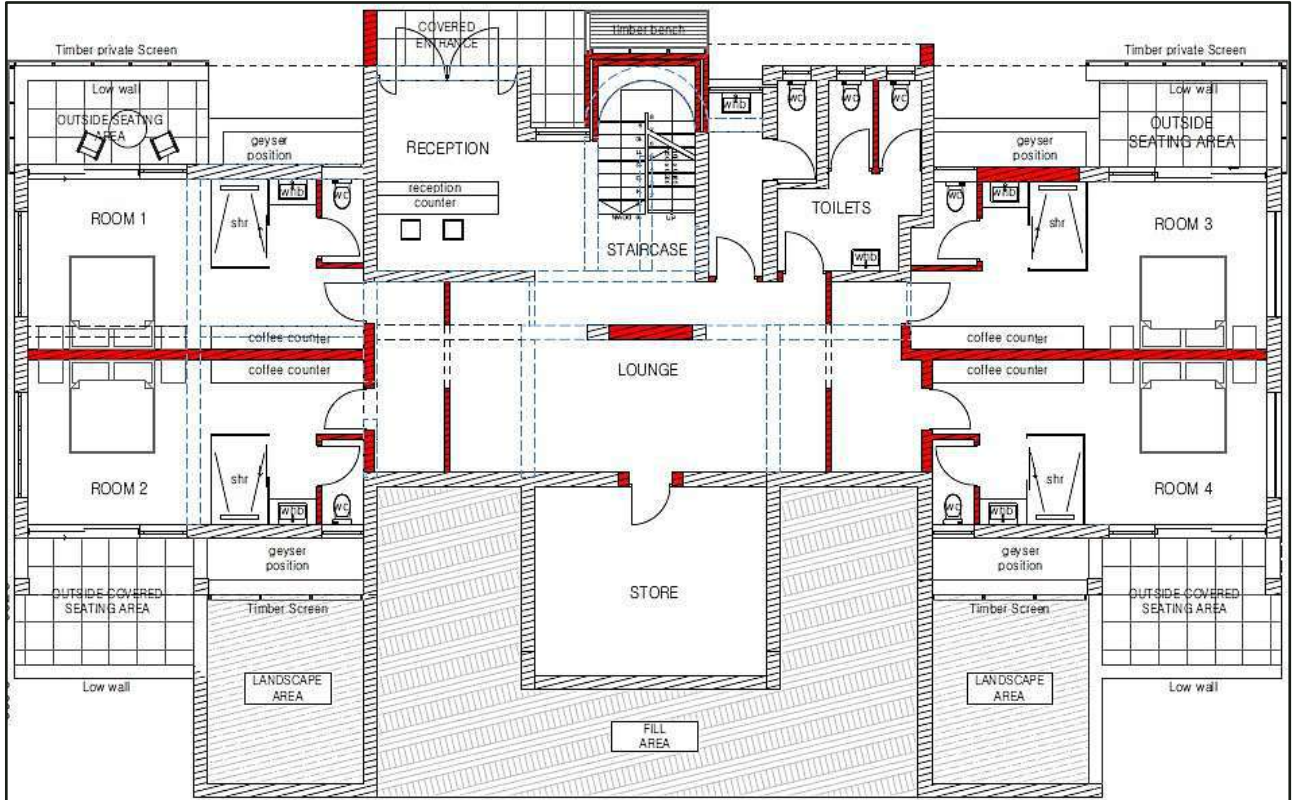


Figure 3: Lower ground storey floor plan

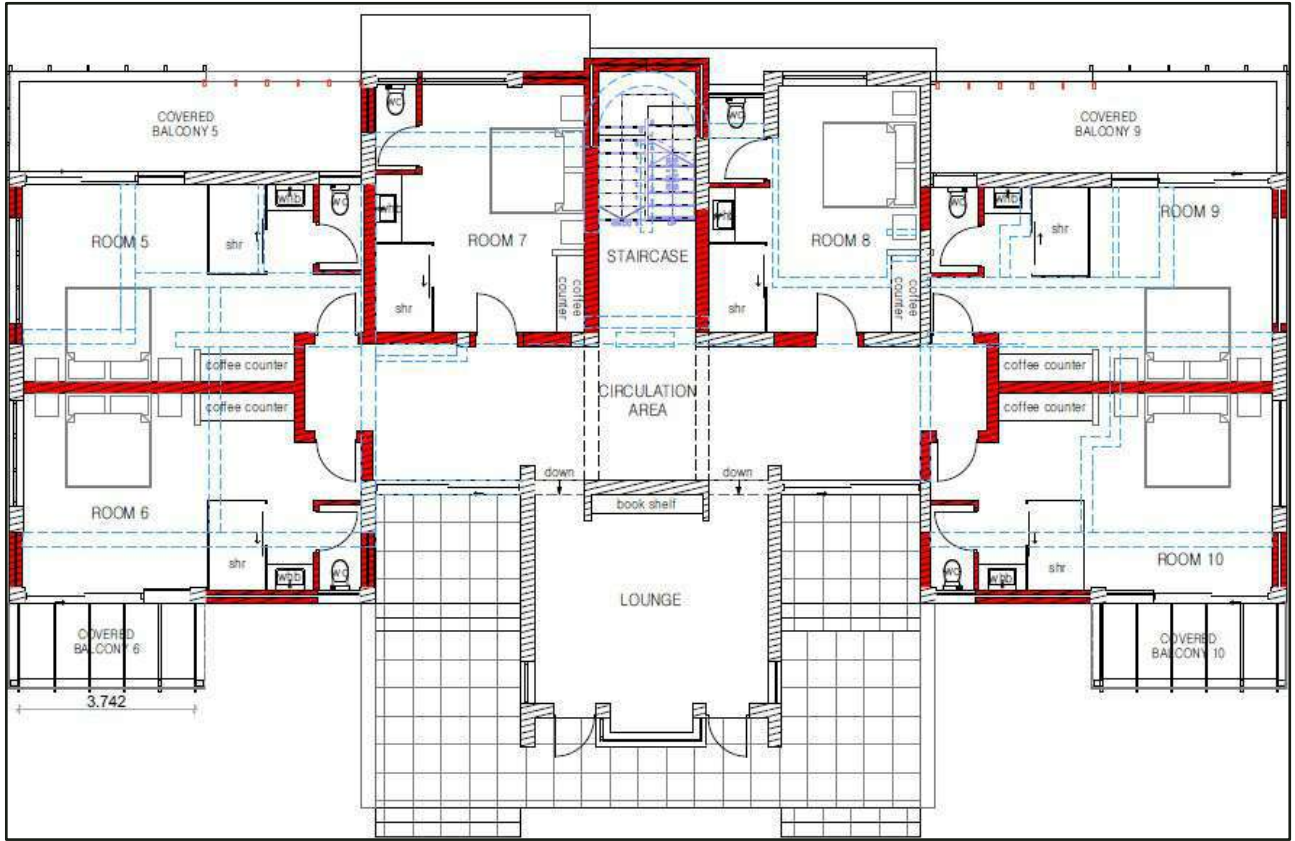


Figure 4: Ground storey floor plan

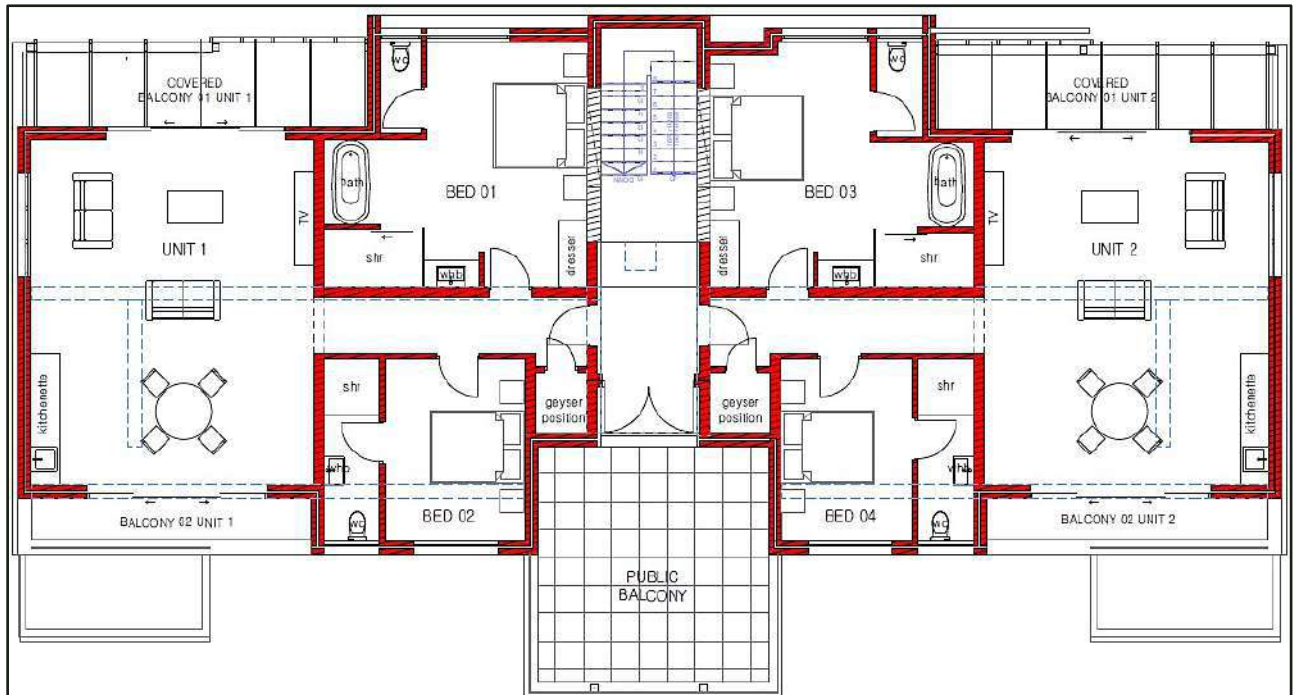


Figure 5: First storey floor plan



Figure 6: Building front view



Figure 7: Building back view

4. METHODOLOGY

It is in the nature of visual and scenic resources to include abstract qualities and connotations that are by their nature difficult to assess or quantify as they often have cultural or symbolic meaning. It is necessary therefore to include both quantitative criteria (such as viewing distances), and qualitative criteria (such as sense of place), in visual impact assessments.

An implication of this is that impact ratings cannot simply be added together. Instead, the assessment relies on the evaluation of a wide range of considerations, both objective and subjective, including the context of the proposed project within the surrounding area. The phrase “beauty is in the eye of the beholder” is often quoted to emphasize the subjectivity in undertaking a visual impact assessment

The analysis of the interaction between the existing visual environment (landscape character and sense of place) and the planned infrastructure provides the basis for determining visual impacts and mitigation strategies. This is completed by defining the visual effect of the planned infrastructure and the visual sensitivity of viewing locations to determine impact.

The evaluation of the existing visual environment consists of the assessment of both the landscape setting and key viewing locations within it. The landscape setting can be defined in terms of topography, vegetation, hydrology and land-use features. These elements define the existing visual character of the landscape with which the planned infrastructure interacts.

The use of the basic elements of form, line, colour and textures has become the standard in describing and evaluating landscapes. Modifications in a landscape which repeat the landscape's basic design elements are said to be in harmony with their surroundings. Modifications which do not harmonize, often look out of place and are said to contrast or stand out in unpleasing ways.

Value can be placed in a landscape in terms of its aesthetic quality, or in terms of its sense of identity or sense of place with which it is associated. If no such values are held with respect to a landscape, there is less likely to be a perception of a visual impact if the landscape becomes subject to visual alteration. Development within a landscape may not be perceived negatively at all if the development is associated with progress or upliftment of the human condition.

The perception of visual impacts is thus highly subjective and thus involves ‘value judgements’ on behalf of the receptor. The context of the landscape character, the scenic/aesthetic value of an area, and the types of land use practised tend to affect the perception of whether landscape change (through development) would be considered to be an unwelcome intrusion. Sensitivity to visual impacts is typically most pronounced in areas set aside for the conservation of the natural environment (such as protected natural areas or conservancies), or in areas in which the natural character or scenic beauty of the area acts as a drawcard for visitors (tourists) to visit an area, and accordingly where amenity and utilitarian ecological values are associated with the landscape.

When landscapes have a highly natural or scenic character, amenity values are typically associated with such a landscape. Structural features such as power lines and other electricity transmission developments and related infrastructure are not a feature of the natural environment but are rather representative of human (anthropogenic) change to a landscape.

Thus, when placed in a largely natural landscape, such structural features can be perceived to be highly incongruous in the context of the setting, especially if they affect or change the visual quality of a landscape. It is in this context of incongruity with a natural setting that new developments are often perceived to be a source of visual impact.

4.1 Observer locations

Observer locations (views from communities, major roads, conservation areas etc.) are those areas where people (receptors) are likely to obtain a view of the planned infrastructure. These viewing locations have different significance based on numerous factors, collectively evaluated though land use and viewing distance to the planned infrastructure.

The selection of the key viewing locations is based on their location within the defined view-shed where they would have a clear view of the planned infrastructure.

Factors that will be considered in selecting the key viewing locations are:

- **The angle of observation** - The apparent size of a project is directly related to the angle between the viewer's line-of-sight and the slope upon which the planned infrastructure is to take place. As this angle nears 90 degrees (vertical and horizontal), the maximum area is viewable.
- **Numbers of viewers** - Areas seen and used by large numbers of people are potentially more sensitive. Protection of visual values usually becomes more important as the number of viewers increases.
- **Length of time the project is in view** - If the viewer has only a brief glimpse of the planned infrastructure, the contrast may not be of great concern. If, however, the planned infrastructure is subject to view for a long period, as from an overlook, the contrast may be very significant.
- **Distance from the project** - The greater the viewing distances, the lower the visual sensitivity. The visual modification of a development is assumed to be the highest when the observer is very close to it and has a direct line of sight. The visual modification then decreases with distance and is also known as distance decay (Hull & Bishop, 1988).
- **Field of vision** - The visual impact of a development can be quantified to the degree of influence on a person's field of vision both horizontally and vertically. The visual impact of a development will vary according to the proportion in which a development impacts the central field of vision. Within the central field of vision, images are sharp, depth perception occurs and colour discrimination is possible. Developments, which take up less than 5% of the central field of vision, are usually insignificant in most landscapes (Human Dimension and Design, 1979).
- **Visibility** - Viewed by the human eye 1.8 m from the ground across a "flat" surface such as the sea, the horizon will be of the order of 6 km distant, due to the curvature of the earth. Viewed at an elevation of 60 m, the horizon will be of the order of 32 km distant and from the top of a 1000 m mountain, the horizon will be at a distance of approximately 113 km. A tall structure standing above the horizon would, of course, increase these distances significantly; for example, for an observer at 1.8 m who is viewing a man-made structure 50 m tall, the effective distance to the horizon is 34 km and for a 100 m structure the distance is 46 km (Miller & Morrice, no date). In addition, mist, haze or other atmospheric conditions may significantly affect visibility (Hill et al, 2001).

4.2 Visual sensitivity

Visual sensitivity is a measure of how critically a change to the existing landscape is viewed by people from different land-use areas in the vicinity of a development.

The degree of visual sensitivity of an area is closely related to the aesthetic quality of the area, as well as to the value placed in the aesthetic quality of the landscape but is also related to the area's socio-economic profile. In this regard, residential, tourist and/or recreation areas generally have a higher visual sensitivity than other land use areas (e.g. industrial, agricultural or transport corridors), because they use the scenic amenity values of the surrounding landscape and may be used as part of a leisure experience and often over extended viewing periods.

It is important to note that the presence of natural / perceived natural and rural elements or areas within the landscape as viewed from the surrounds of the project area can engender perceptions of aesthetic quality or

value to the landscape. Many studies of landscape conservation have highlighted the value placed by people in rural or natural landscapes. A rural landscape can be defined as an area where an interaction between humans and nature over time has led to the development of a landscape that has its characteristics, and which is a middle ground between an urban landscape and wilderness, consisting of human activities that are related to the natural environment, such as agriculture and pastoral activities (Mazehan et al, 2013). A natural landscape, as defined in this report is close in appearance to how the landscape would appear without human alteration – i.e. mimicking or closely resembling that of a wilderness.

Placing value in a landscape is a psychological and cultural practice; values and meanings are not intrinsic to the landscape, but rather they are phenomena created by humans through their cultural practices (Pun, 2004). It is thus important to note that perceptions of a landscape may not be universally shared, and different individuals or groups of people may perceive or treat the same landscape differently, in turn ascribing different values and meanings to it (Pun, 2004). Values and meanings ascribed by local people may not be evident to an outsider.

Different types of values can be placed on a landscape; i.e. economic values (e.g. the relevance of the landscape for business enterprises, or the market possibility of products from the landscape), amenity values (values related to the non-material benefits associated with it) and security values (Pun, 2004). Amenity values can be subdivided into different sub-categories; “intrinsic” ecological value, scientific and educational value, aesthetical and recreational value, and orientational and identity value.

Landscapes and the viewing of landscapes have also been shown to have positive psychological and health benefits; Velarde et al (2007), have shown through an examination of various environmental psychology studies that visual exposure to natural landscapes (e.g. by means of viewing natural landscapes during a walk or viewing from a window) generally has a beneficial impact on human health (e.g. reduced stress, facilitating recovery from illness, and behavioural changes that improve mood and general well-being).

Landscape as a source of beauty is prevalent within the arts and is a strong drawcard for recreational activities. In addition, the landscape is an element in the ability of people to orient themselves and is strongly related to people’s cultural identity and sense of place. It is in this context that value is placed in natural or rural landscapes, and it follows that such value would be placed on views in an area such as the study area which is largely natural, and which has high aesthetic value by virtue of its scenic nature.

The above values can be interlinked, but can also be conflicting, e.g. amenity values associated with a landscape held by a certain group of people as described above may conflict with economic values associated with the market or development possibility of the landscape that is held by others. It is in this context that visual impact associated with a potential development often arises as an issue in environmental impact assessments.

The latter three sub-categories of amenity value described above – aesthetic, identity and psychological health value are typically involved in the perception of visual impact and constitute the elements of the ‘visual sensitivity’ associated with that landscape, as development within a landscape can change the landscape to the degree to which the amenity value associated with a landscape would be considered to be degraded or no longer present.

Visual sensitivity may range from high to low, depending on the following additional factors:

- **The visual absorption capacity** - The potential of the landscape to conceal the proposed project will reduce or increase visual sensitivity.
- **Viewing distance** – The greater the viewing distance, the lower the visual sensitivity. The visual modification of a development is assumed to be the highest when the observer is very close to it and has a direct line of sight. The visual modification decreases with distance and is also known as distance decay (Hull & Bishop 1988).

- **Length of time** the project is in view - If the viewer has only a brief glimpse of the planned infrastructure, the contrast may not be of great concern and the visual sensitivity low. If, however, the planned infrastructure is subject to view for a long period, as from an overlook, the contrast may be very significant.
- **General orientation** - General orientation of residences to landscape areas affected by a project. Residential, tourist and/or recreation areas with a strong visual orientation towards the planned infrastructure (i.e. those with areas such as living rooms and/or verandas orientated towards it), will have a higher visual sensitivity than those not orientated towards the planned infrastructure.
- **Relative planned infrastructure size** - The contrast created by the project is directly related to its size and scale as compared to the surroundings in which it is placed.
- **Type of users** - Visual sensitivity will vary with the type of users. Recreational sightseers may be highly sensitive to any changes in visual quality, whereas workers who pass through the area regularly may not be as sensitive to change.
- **Numbers of viewers** - Areas seen and used by large numbers of people are potentially more sensitive. Protection of visual values usually becomes more important as the number of viewers increases.
- **Adjacent land uses** - The inter-relationship with land uses in adjacent lands can affect the visual sensitivity of an area. For example, an area within the view shed of a residential area may be very sensitive, whereas an area surrounded by commercially developed lands may not be visually sensitive.
- **Special areas** - Management objectives for special areas such as natural areas, wilderness areas, conservation areas, scenic areas, scenic roads or trails frequently require special consideration for the protection of the visual values. This does not necessarily mean that these areas are scenic, but rather that one of the management objectives may be to preserve the natural landscape setting. The management objectives for these areas may be used as a basis for assigning sensitivity levels.

Landscapes are subdivided into three (3) distanced zones based on relative visibility from travel routes or observation points (receptors). The three zones are:

- **Foreground-Middle ground Zone** - This is the area that can be seen from each travel route for a distance of 0 to 5 kilometres where management activities might be viewed in detail. The outer boundary of this distance zone is defined as the point where the texture and form of individual plants are no longer apparent in the landscape. In some areas, atmospheric conditions can reduce visibility and shorten the distance normally covered by each zone.
- **Background Zone** - This is the remaining area which can be seen from each travel route to approximately 24 kilometres but does not include areas in the background which are so far distant that the only thing discernible is the form or outline. To be included within this distance zone, vegetation should be visible at least as patterns of light and dark.
- **Seldom-Seen Zone** - These are areas that are not visible within the foreground-middle ground and background zones and areas beyond the background zones.

Land-use areas are generally characterised in terms of low, moderate or high visual sensitivity, as follows:

- Low visual sensitivity - industrial areas, local roads, mining and degraded areas.
- Moderate visual sensitivity - tourist roads, major roads, sporting or recreational areas and places of work.
- High visual sensitivity - rural residences, recreation areas, conservation areas, scenic routes or trails.

4.3 Visual modification

Visual modification is a measure of the level of visual contrast and integration of the planned infrastructure with the existing landscape. An existing landscape has certain visual characteristics expressed through the visual elements of form, shape, line colour and texture. A development that has different visual characteristics than the existing landscape will create contrast with the existing landscape. If similar infrastructure already forms part

of the existing landscape, the visual effects of the planned infrastructure will borrow visual character from these operations, reducing visual modification.

The degree to which the visual characteristics of the planned infrastructure contrast with the existing landscape will determine the level of visual modification. For example, a newly created mine will have a high visual modification due to strong contrast. An extension of operations in an existing mine will have a lesser visual modification. A successfully rehabilitated mine area will also have a lower visual modification due to limited contrast with the existing landscape.

Similarly, a project is said to be integrated with the existing landscape based on issues of scale, position in the landscape and contrast. High visual integration is achieved if development is dominated by the existing landscape and is of small scale and/or limited contrast.

The level of visual modification generally decreases with distance and is categorised as follows:

- **Negligible (or very low) level of visual modification** - where the development is distant and/or relates to a small proportion of the overall view shed.
- **Low level of visual modification** - where there are minimal visual contrast and a high level of integration of form, line, shape, pattern, colour or texture values between the development and the landscape. In this situation, the development may be noticeable but does not markedly contrast with the landscape.
- **Moderate level of visual modification** - where a component of the development is visible and contrasts with the landscape, while at the same time achieving a level of integration. This occurs where surrounding topography, vegetation or existing modified landscape provide some measure of visual integration or screening.
- **High level of visual modification** - where the major components of the development contrast strongly with the existing landscape and demand attention.

The following factors must be considered when applying visual modification categories:

- **Length of time the project is in view** - If the viewer has only a brief glimpse of the project, the contrast may not be of great concern. If, however, the project is subject to view for a long period, from a viewing location, the contrast may be very significant.
- **Relative size or scale** - The contrast created by the project is directly related to its size and scale as compared to the surroundings in which it is placed.
- **Recovery time** - The amount of time required for successful re-vegetation should be considered. Recovery usually takes several years and goes through several phases (e.g. bare ground to grasses, to shrubs, to trees, etc.). It may be necessary to conduct contrast ratings for each of the phases that extend over long periods. Those conducting contrast ratings should verify the probability and timing of vegetative recovery.
- **Atmospheric conditions** - The visibility of planned infrastructure due to atmospheric conditions, such as air pollution or natural haze, should be considered
- **Motion** - Movements such as waterfalls, vehicles or plumes draw attention to a project.
- **Form** - Contrast in form results from changes in the shape and mass of landforms or structures. The degree of change depends on how dissimilar the introduced forms are to those continuing to exist in the landscape.
- **Line** - Contrasts in line result from changes in edge types and interruption or the introduction of edges, bands, and silhouette lines. New lines may differ in their sub-elements (boldness, complexity, and orientation) from existing lines.
- **Colour** - Changes in value and hue tend to create the greatest contrast. Other factors such as chroma, reflectivity and colour temperature, also increase the contrast.

- **Texture** - Noticeable contrast in texture usually stems from differences in the grain, density and internal contrast. Other factors such as irregularity and directional patterns of texture should also be considered.

5. VISUAL ASSESSMENT OF THE SITE AND PROPOSED DEVELOPMENT

The DEA&DP Guideline for involving visual & aesthetic specialists in EIA processes Document provides a number of criteria that relate specifically to Visual Impact Assessments namely:

- Visibility of the project;
- Visual exposure;
- Visual sensitivity of the area;
- Visual sensitivity of receptors;
- Visual Absorption Capacity; and
- Visual Intrusion.

It is recommended that the proposed project should be assessed against these criteria before attempting to assess the visual impact of the proposed development.

5.1 Description of the affected area and the scenic resources

The development is situated on the Garden Route, in the southeastern extent of the Western Cape. The area is a scenic, coastal area with a rich, visual diversity. This diverse and beautiful coastal area is a landscape formed over millions of years and numerous sea-level changes. The Outeniqua mountain, which consists of hard and folded Table Mountain Quartzite, forms a majestic backdrop to a coastal platform, in the north (Figure 8).



Figure 8: A view of the undulating coastal platform and coastline in the Garden Route

From: The Garden Route Environmental Framework (2010)

“The landscape of the Garden Route comprises an intricate mosaic of landforms, which further supports its diverse ecological features. These features extend from coastal features, through to the lake system, framed by the backdrop of the high Outeniqua mountains. The area is similarly dissected by numerous rivers draining the highlands to the coast. The coastal landscape is characterised by sensitive foredune systems which are prone to erosion, and which perform critical ecological functions, and which similarly are sought after for residential property development. The area is characterised by cover sands on steep slopes surrounding the lakes and estuaries, which are unstable and unsuitable for development activity.”

and

The Garden Route has been named as such due to the visual and aesthetic quality attached to the region. Similarly, the region is considered as one of the most scenic in the country, attracting significant numbers of domestic and international tourist throughout the year. This asset is, unfortunately, one of the regions limiting factors. Due to the perceived high - quality of life associated with the region underpinned by scenic topography, quaint villages and hamlets, large tracts of natural open space systems supported by an extensive national park system (Garden Route National Park); the Garden Route has become the ideal location of retired individuals from the larger cities, as well as a growing international interest. This insatiable demand for development land for residential and tourism use is limited by the biophysical, physical and aesthetic constraints of the area. It is indeed the case of the "exact reasons for the attraction could become its downfall".

The proposed building footprint is located next the Victoria Bay Road and takes full advantage of the Garden Routes' scenic qualities as mentioned above

5.2 Surrounding land uses

The proposed building footprint is located within an existing development (Victoria Bay Lodge) consisting of several other buildings (chalets), roads and vegetation (shrubs & tall trees) (Figure 12). The property borders onto the N2 Road towards the north and Victoria Bay Road towards the south. The property is surrounded by agricultural areas, pockets of indigenous vegetation, invasive alien plants and small holdings (Victoria Bay Heights) (Figure 9).

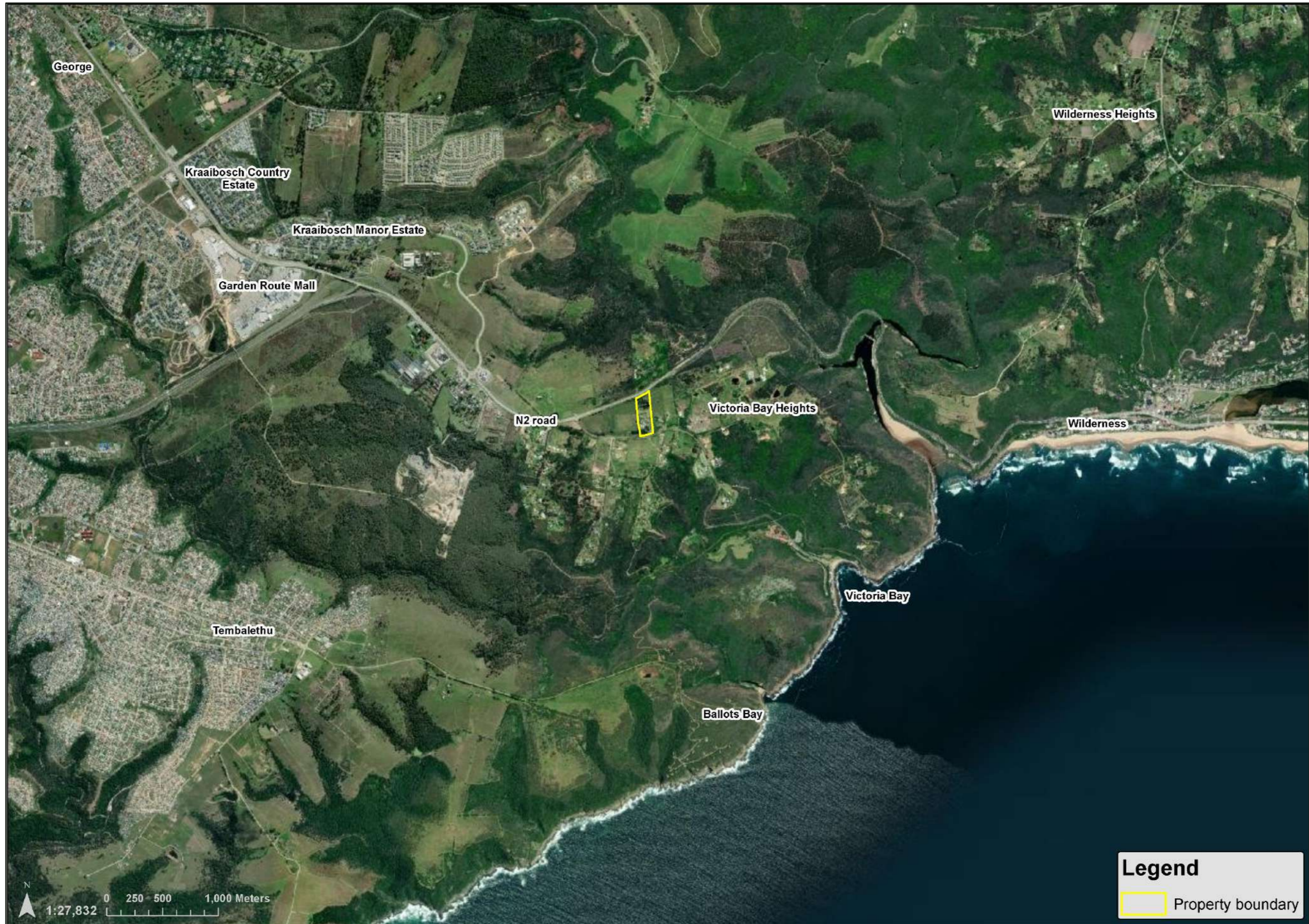


Figure 9: Adjacent land uses

5.3 Topography

The property runs across a hilly area starting from Victoria Bay Road in the south to the N2 Road in the north. The proposed building footprint is located next to Victoria Bay Road below the ridgeline of the hilly area. The average height above sea level for the proposed building footprint is 180 meters (Figures 11 & 12).

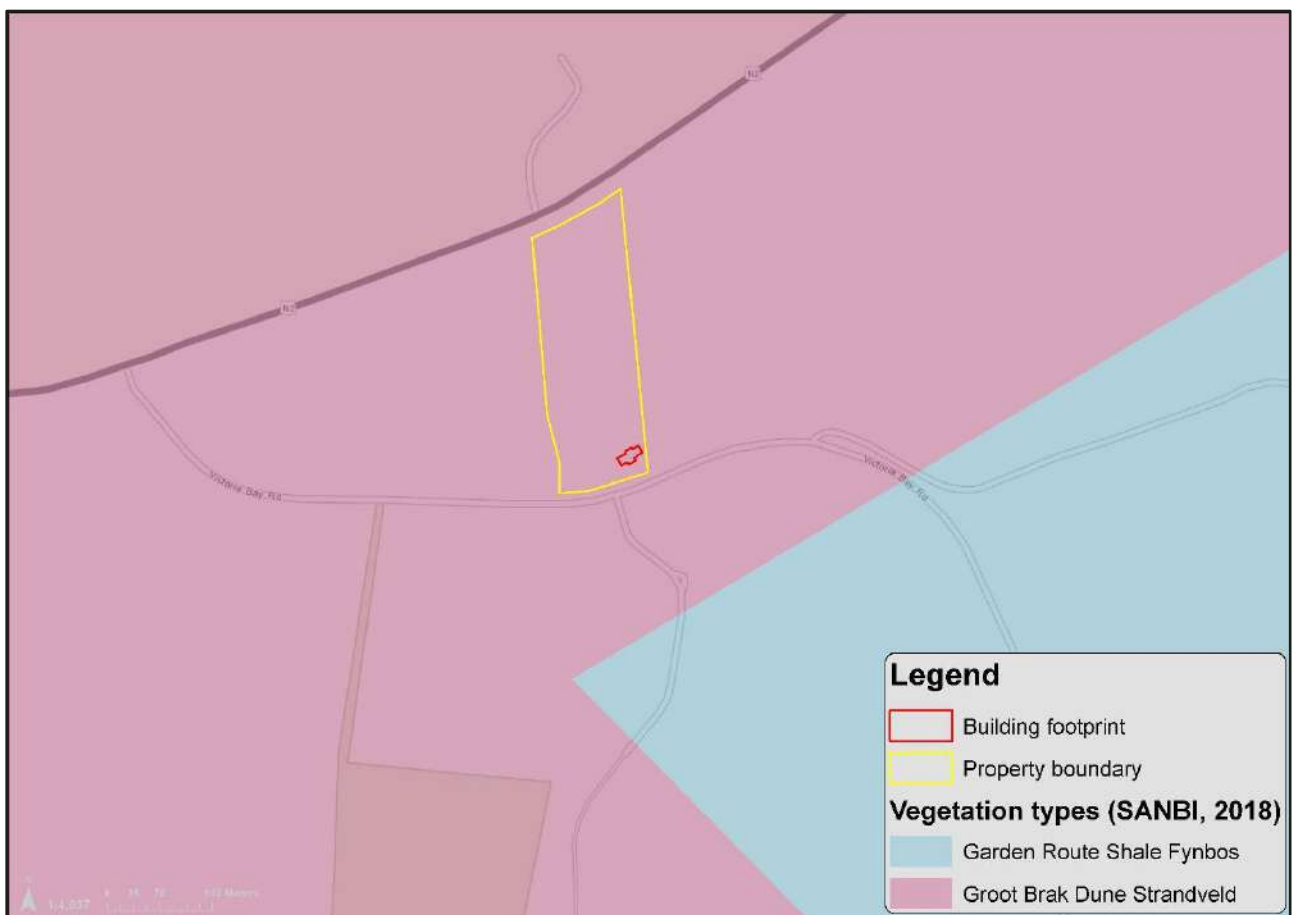
5.4 Local vegetation

The vegetation in this region is broken up into three broad types (Figure 10).

- Great Brak Dune Strandveld
- Garden Route Shale Fynbos
- Transformed areas (agriculture & small holdings)

The proposed building is located within an existing development consisting of various other buildings (chalets) and roads and no indigenous vegetation remains. The proposed building footprint is surrounded by high vegetation (6-10m) on the left, right and towards the back of the development (Figures 9 & 12).

Figure 10: Vegetation map (SANBI, 2018)



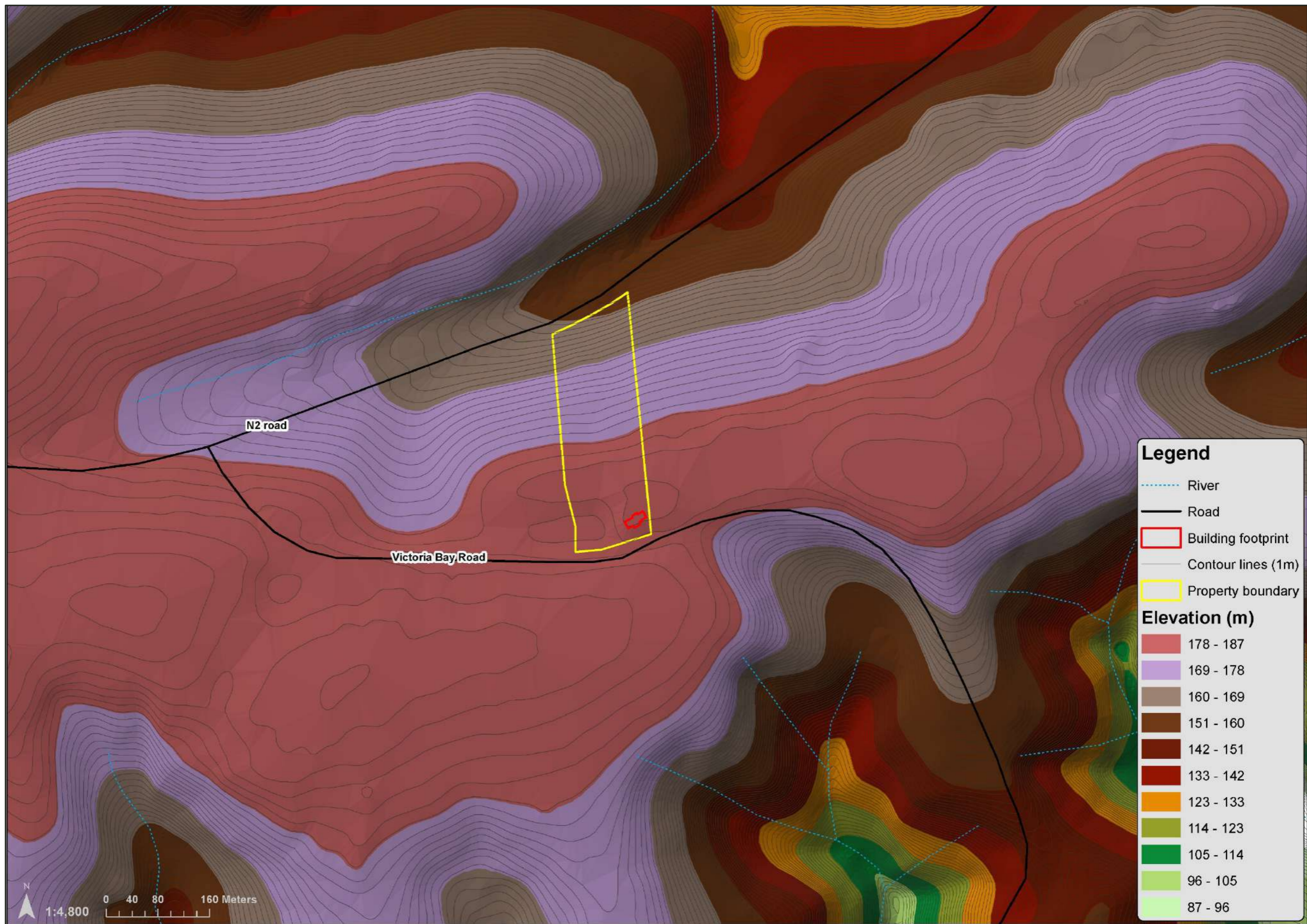


Figure 11: Project site topography

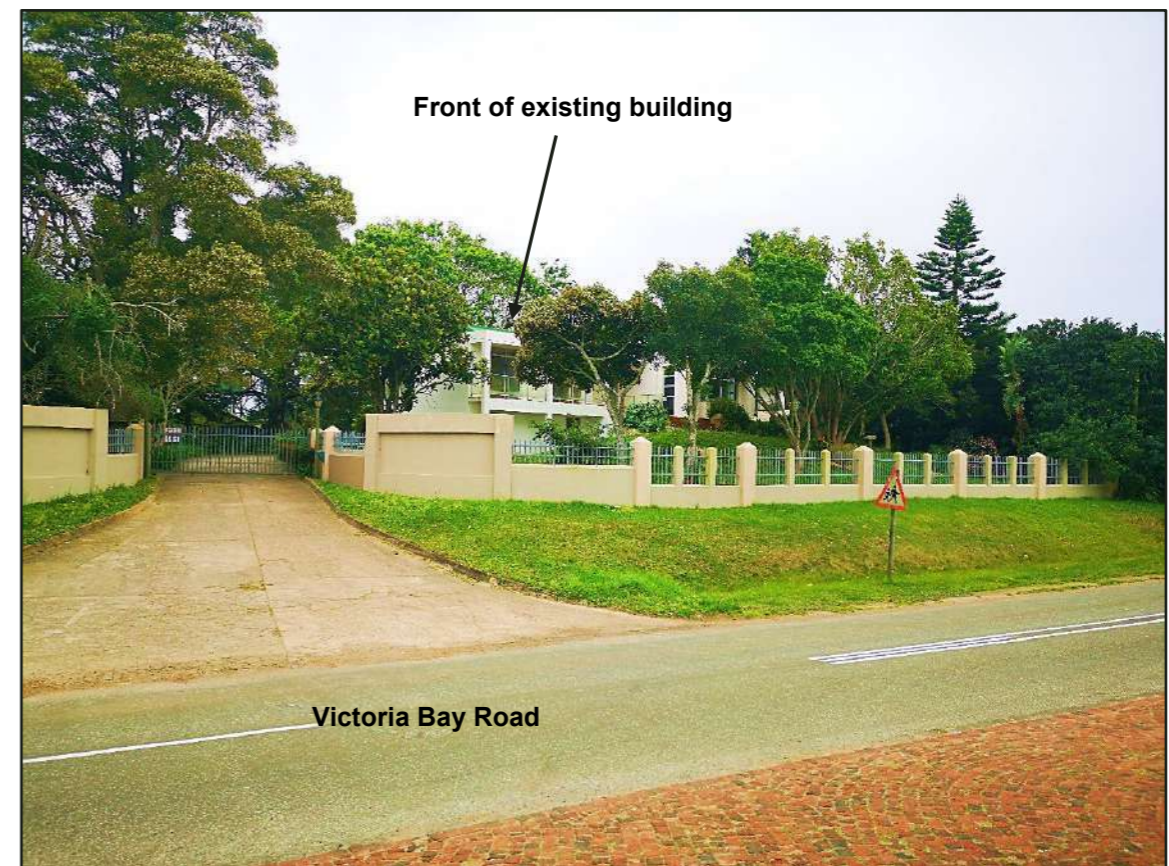


Figure 12: Local vegetation

6. VISIBILITY OF THE PROPOSED DEVELOPMENT

6.1 Zone of visual influence

The geographical area from which the proposed development will theoretically be visible, or view catchment (probable viewshed), is dictated by topography. Theoretically, the development site could be seen from the all surrounding areas. However, distance, topography, developments, houses and vegetation will reduce the actual view catchment that the proposed development site will have, to a much smaller area (zone of visual influence).

Based on the information gathered from the various observer locations the zone of visual influence was determined for the development (Figure 9). It spans an area of approximately 1.10 km south, 1.2km west, 1.7km north and 2.10 km to the east. According to the specific criteria for visual impact assessments, the visibility of the site is local, being visible from an area less than 5km away.

6.2 Receptors

The level of visual impact considered acceptable is dependent on the type of receptors. The following receptor sensitivity ratings were considered:

- High sensitivity – e.g. residential areas, nature reserves and scenic routes or trails
- Moderate sensitivity – e.g. sporting or recreational areas, or places of work
- Low sensitivity – e.g. industrial, or degraded areas

Highly sensitive receptors of the proposed development site include the small holdings located next to the project location (Victoria Bay Heights) (Figure 13).

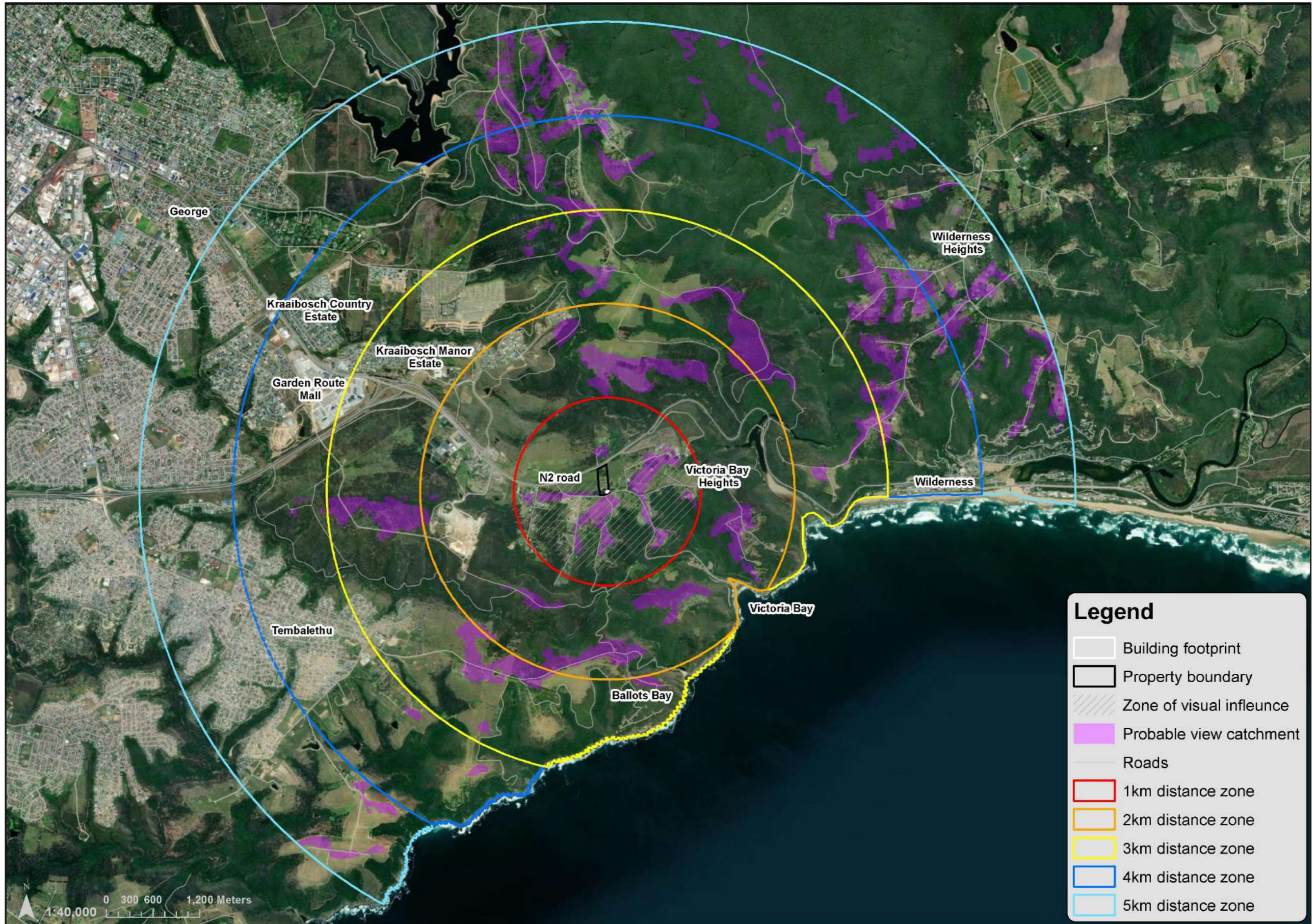


Figure 13: Zone of visual influence

6.3 Visual exposure

The visual impact of a development diminishes at an exponential rate as the distance between the observer and the object increases. Relative humidity and fog in the area directly influence the effect. Increased humidity also causes the air to appear greyer which diminishes detail. Thus, the impact at 1 km would be 25% of the impact as viewed from 500 m. At 2km, it would be 10% of the impact at 500 m. The inverse relationship between distance and visual impact is well-recognised in visual analysis literature (Hull and Bishop, 1998) and was used as an important criterion for this study.

Thus, visual exposure is an expression of how close receptors are expected to get to the proposed development regularly. For this assessment, close-range views (equating to a high level of visual exposure) are views over a distance of 500 m or less, medium-range views (equating to a moderate/medium level of visual exposure) are views of 500 m to 2 km, and long-range views are over distances greater than 2 km (low levels of visual exposure).

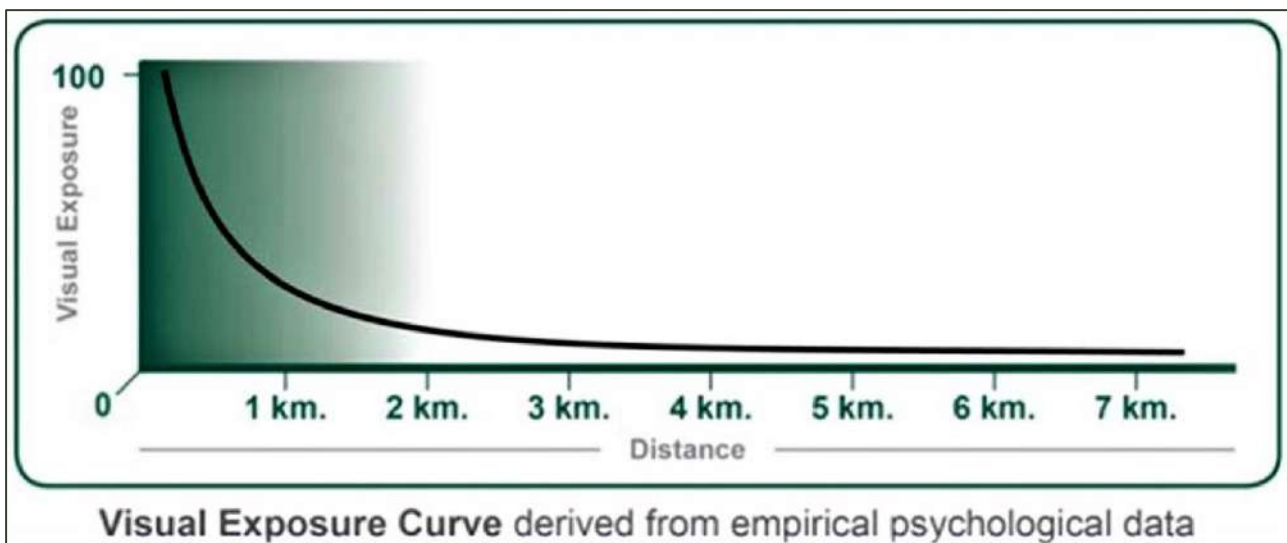


Figure 14: Visual exposure graph

Within the Zone of Visual Influence view corridors, viewpoints and receptors will experience “Visual Exposure” to the proposed development. The following visual exposure classes were considered during the assessment:

- High exposure – dominant or clearly noticeable
- Moderate exposure – recognisable to the viewer
- Low exposure – not particularly noticeable to the viewer

The proposed development will have a moderate visual exposure to the south but topography and vegetation will limit the exposure. Due to the high vegetation surrounding the building footprint on the western, northern and eastern boundary, a low visual exposure will be experienced.

6.4 Visual sensitivity

The inherent visibility of a project site in the landscape is usually determined by a combination of topography, landform, vegetation cover, settlement pattern and special features. This translates into visual sensitivity. The following visual sensitivity classes were considered during the assessment:

- High visual sensitivity – highly visible and potentially sensitive areas in the landscape,
- Moderate visual sensitivity – moderately visible areas in the landscape,
- Low visual sensitivity – minimally visible areas in the landscape

The proposed development will be located within an existing tourist resort development and only the existing main double-storey house will be upgraded. The existing main house is not located on a prominent ridgeline and is screened by tall trees and other vegetation. The development, therefore, has a low visual sensitivity.

6.5 Visual absorption capacity

Visual Absorption Capacity (VAC) is the capacity of the landscape to conceal the proposed development. The VAC of a landscape depends on its topography, the type of vegetation and the surrounding infrastructure (buildings, roads etc.) that occurs in the landscape. The size and type of development also play a role. The following visual absorption classes were considered during the assessment:

- High VAC – effective screening is provided by topography, vegetation and existing infrastructure
- Moderate VAC - partial screening is provided by topography, vegetation and existing infrastructure
- Low VAC - little screening is provided by topography, vegetation and existing infrastructure

The proposed development is located within an existing tourist resort and the development, therefore, has a high visual absorption capacity.

6.6 Visual intrusion

Visual intrusion is defined as the level of compatibility or congruence of the project with the particular qualities of the area, or its sense of place. This is related to the idea of context and maintaining the integrity of the landscape or townscape. The following visual intrusion classes were considered during the assessment:

- High visual intrusion – the proposed development results in a noticeable change or is discordant with the surroundings
- Moderate visual intrusion – the proposed development partially fits into the surroundings but is clearly noticeable
- Low visual intrusion – the proposed development creates minimal change or blends in well with the surroundings

The proposed building is located within an existing tourist resort and will therefore have a low visual intrusion.

6.7 Conclusion

The design of the proposed building, upgrading of an existing building located within a tourist resort, and the screening effect created by the surrounding vegetation and its position below a ridgeline will create a minimal change in the qualities of the surrounding area and will therefore have a low visual impact.

7. VISUAL CONSTRAINTS & MITIGATION

Garden Route Environmental Management Framework (GREMF) has identified the inappropriate placement of development infrastructure on prominent and exposed topographical features such as ridgelines as a risk to the visual landscape of the Garden Route.

The GREMF states that proposed developments within areas of outstanding natural beauty, scenic drives and panoramic views must be sensitive to the natural beauty and consider the following aspects when planning the development:

- Infrastructureshould be visually unobtrusive
- Materials and colours used for the development should blend into the surrounding landscape
- Infrastructure should be grouped in clusters with open spaces between clusters
- Infrastructure should not interfere with the skyline (ridgelines), landmarks, major views and vistas
- The development should not increase light, noise or effluent pollution
- The development should correspond to the historical, architectural and landscape style of surrounding layout and buildings

Every attempt should be made to design the proposed development so that buildings, structures, and other improvements do not extend above the existing ridgelines (high visual sensitivity area) or alter the ridge profile significantly when viewed from the public streets, roads, water bodies or facilities.

Structures should be sited below the ridgeline to preserve a natural topographic and vegetative profile. Ridgelines and prominent hillsides should be retained as open space through appropriate clustering and/or transfer of density to other parts of the development site.

Infrastructure should be designed to conform to the natural topography and hillside setting of the project site. Buildings and associated infrastructure located on the hillsides below ridgelines should follow the contours of the site and blend with the existing terrain to reduce bulk and mass. Infrastructure should be positioned to allow adequate space for tree planting and other vegetation screening interventions. Roof forms and rooflines should be broken into smaller building components to reflect the irregular forms of surrounding natural features. The slope of roofs should be oriented in the same direction as the natural slope.

7.1 Visual mitigation measures

General visual mitigation principles to reduce visual impact can be categorised as:

- On-site treatments to reduce visual effects; and
- Treatments at viewer locations to reduce visual sensitivity.

On-site treatments involve rehabilitation of landforms and land cover, while viewer location treatments involve a range of treatments to screen views, filter views and/or re-orientate primary views.

On-site treatments might include:

- Visual and ecological planting patterns of indigenous vegetation to achieve landscape patterns that emulate in part existing mixes of tree and grass cover in the surrounding landscape.
- Minimising exposure of work areas to sensitive receptors.
- Preparing an internal landscape plan for rehabilitation areas.

At the viewer location treatments include:

- Landscape design and plantings for affected locations. This will require an appropriately qualified person to visit the affected locations and develop a landscape plan to screen or filter views of the project areas.

Design fundamentals are general design principles that can be used for all forms of activity or development, regardless of the resource value being addressed. Applying the following three fundamentals will assist with mitigation measures:

- Proper siting or location.
- Reducing unnecessary disturbance.
- Repeating the elements of form, line, colour and texture of the surrounding landscape.

Design strategies are more specific activities that can be applied to address visual design problems. The following strategies will not necessarily apply to every proposed activity or project:

- Colour selection
- Earthwork
- Vegetative manipulation
- Structures
- Reclamation/Restoration
- Linear alignment design considerations

The fundamentals and strategies mentioned above are all interconnected, and when used together, can help resolve visual impacts from proposed activities or developments.

7.1.1 Reducing unnecessary disturbance

As a general rule, reducing the amount of land disturbed during the construction of a project reduces the extent of visual impact. Measures relevant to the project include:

- Retain as much of the existing vegetation as possible and where practical screen construction activities from key viewing locations. This is also referred to as vegetation manipulation.
- Establish limits of disturbance that reflect the minimum area required for construction.
- Existing vegetation should be retained where possible through the use of retaining walls.

7.1.2 Colour selection

The selection of the best colour for the planned project will have the greatest impact on the visual success or failure of the project. Strong contrasts in colour create easily recognizable visual conflicts in the landscape.

Measures relevant to the project include:

- The selection of colours that blend with or are in harmony with the surrounding landscape will drastically reduce the visual impact of the project. Such colours would include tonal variations of existing colours in the surrounding landscape. Contrasting but discordant colours that stand out in the landscape should be avoided.
- Select colours for smooth structures that are two or three shades darker than the background colours to compensate for shadow patterns created by natural textures that make colours appear darker.
- Galvanized steel on structures should be darkened to prevent glare. Low lustre paints should be used wherever possible to reduce glare.

7.1.3 Reduce contrasts from earthworks

The scars left by excessive cut and fill activities during construction often leave long-lasting negative visual impacts. Once the dark surface soil layer is disturbed, exposing the much lighter colour of the subsurface soil, a strong contrast is created that may take many years to recover.

There are several ways to reduce the contrasts created by earthwork construction. Proper location and alignment are the most important factors. Fitting the proposed project infrastructure to the existing landforms in a manner that minimizes the size of cuts and fills will greatly reduce visual impacts from earthwork. Other earthwork design techniques, such as balancing cut and fill or constructing with all fill or all cut should be considered, where appropriate, as methods to reduce strong visual impacts. Measures relevant to the project include:

- The scars left by excessive cut and fill activities during construction often leave long-lasting negative visual impacts. Where possible fitting the proposed project infrastructure to the existing landforms in a manner that minimizes the size of cuts and fills will greatly reduce visual impacts from earthwork.

- The dumping of excess rock and earth on downhill slopes should be limited.

7.1.4 Limiting the footprints and heights of structures

Visual impact can be reduced by limiting the footprint of the buildings and hardscaping as well as the heights of buildings. Limiting the footprint of infrastructure will help to provide more greening areas in between buildings which will assist with screening and visual absorption of structures

7.1.5 Glint and Glare

Solar glint and glare i.e. reflected sunlight from shiny surfaces such as windows can affect safety and residential amenity in surrounding areas. Glint is a momentary flash of light, and may be produced as a direct reflection of the sun on a window. Glint effects are not restricted to just windows and can occur from any reflective surface including building facades.

Glare is a continuous source of excessive brightness. It could be experienced by a stationary observer located in the path of reflected sunlight from the face of a window. Glare can also be an issue for buildings with reflective/ glassy facades.

Glint and glare can cause a distraction or lead to an after-image being experienced by an observer. This can present a nuisance and, under some circumstances, a safety hazard. Solar glint and glare impact significance is categorised differently for varying observer types. For dwelling receptors, significance is predominantly defined by duration and separation distance. For road users, it is mostly down to the location of the glare relative to an observer's field of view.

Low emissivity windows (Low-E) are designed to reflect much more solar energy than standard glass panes. They block as much as 99% of the sun's ultraviolet rays, preventing interiors from fading and reducing the health risks posed by ultraviolet light. Low-E windows also block a large percentage of the sun's infrared light, which is chiefly responsible for solar heat gain inside a property; it is primarily for this reason that these windows are known as energy efficient. Most low-E windows are also quite well-insulated thanks to a double pane design, which further enhances their energy efficiency.

But all that UV and IR light reflected off Low-E windows has to go somewhere, and quite often it does so in the form of light beams (glare) intense enough to melt some materials or to pose a hazard to nearby humans and animals.

Anti-glare window film can be applied to windows prone to glare. They reduce the reflection without reducing the amount of light that reaches the room and without obstructing the view. The roof of a building can also be extended to provide more shade thereby reducing glare from windows.

7.1.6 Development and architectural guidelines

Development and building guidelines need to address procedural, planning and aesthetic considerations required for the successful design and development of the property and the architectural ethos of the development. The purpose of design guidelines is to protect and safeguard the environment and scenic resources and guide the appropriate architectural character to protect the investment value of the development. The guidelines should not be restrictive conditions but should promote an overall design sensitivity whilst allowing flexibility for individual expression.

7.1.7 Landscaping

A Landscape Plan must be drawn up by a professionally registered Landscape Architect. The objective of the Landscape Plan must be:

- To identify and retain indigenous trees and shrubs that will visually screen the development.
- To provide a planting plan of indigenous trees and shrubs for streets and open spaces that will allow for the medium – long-term visual screening of the development and enhance the living environment of the residents.
- To draw up a management plan for phasing in indigenous trees and phasing out exotic trees such that the proposed development will always be screened from sensitive receptors, by trees. The plan should include the planting of fast-growing, pioneer-type trees, trees with a medium growth rate and those that have a slower growth rate. This management plan should be for a minimum of 20 years and should be monitored and revised every 5 years.

7.1.8 Lightning design

Effective light management needs to be incorporated into the design of the lighting to ensure that the visual influence is limited to the power station, without jeopardising operational safety and security.

Several measures can be implemented to reduce light pollution and those relevant to the project are as follows:

- Where possible construction activities should be conducted behind noise/light barriers that could include vegetation screens.
- Low flux lamps and the direction of fixed lights toward the ground should be implemented where practical. Choose “full-cut off shielded” fixtures that keep light from going uselessly up or sideways. Full cut-off light fixtures produce minimum glare. They increase safety because you see illuminated people, cars, and terrain, not dazzling bulbs. If you can see the bright bulb from a distance, it's a bad light. With a good light, you see lit ground instead of the dazzling bulb. “Glare” is light that beams directly from a bulb into your eye.
- The design of night lighting should be kept to a minimum level required for operations and safety
- The utilisation of specific frequency LED lighting with a green hue on perimeter security fencing.
- Where feasible, put lights on timers to turn them off each night after they are no longer needed

7.1.9 Restoration and reclamation

Strategies for restoration and reclamation are very much similar to the design strategies for earthwork, as well as the design fundamentals of repeating form, line, colour, and texture and reducing unnecessary disturbance. The objectives of restoration and reclamation include reducing long-term visual impacts by decreasing the amount of disturbed area and blending the disturbed area into the natural environment while still providing for project operations.

Though restoration and reclamation are separate parts of project design, they should not be forgotten or ignored. It is always a good idea to require a restoration/reclamation plan as part of the original design package. All areas of disturbance that are not needed for operation and maintenance should be restored as closely as possible to previous conditions. Measures relevant to the project include:

- The objective of restoration and reclamation efforts is to reduce the long-term visual impacts by decreasing the amount of disturbed area and blending the disturbed area into the natural environment while still providing for project operations.
- Topsoil should be stripped, saved, and replaced on earth surfaces disturbed by construction activities.
- Planting holes should be established on cut/fill slopes to retain water and seeds.
- Indigenous plant species should be selected to rehabilitate disturbed areas.
- Where possible rehabilitation efforts should emulate surrounding landscape patterns in terms of colour, texture and vegetation continuums.

- Replacing soil, brush, rocks and forest debris over disturbed earth surfaces when appropriate, thus allowing for natural regeneration rather than introducing an unnatural-looking grass cover.
- Revegetation of disturbed areas should occur as soon as practicable possible after the completion of various construction activities.

7.2 Monitoring program

The potential visual impacts and proposed mitigation thereof must be undertaken by a professionally registered landscape architect that must be part of the design team (including engineers and architects). The brief of the landscape architect (LA) must include:

- The LA must consult with both engineers and architects to ensure that sensitive earthwork and building design development occurs, which will allow for reducing the construction and operation phase visual impacts.
- The LA must work with the project surveyor, arborist and planners in establishing which trees are to remain on site for visual screening and taking this information into the design development of the civil and building works.
- The LA must prepare a landscape plan, design development thereof and monitoring implementation and thereafter maintenance. The plan must include the tree survey and what trees are, what indigenous vegetation is, to be retained, what is to be removed, the planting of indigenous trees, new trees and shrub planting along roadways and in open spaces in the built areas and a guideline document for private gardens within the development.

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